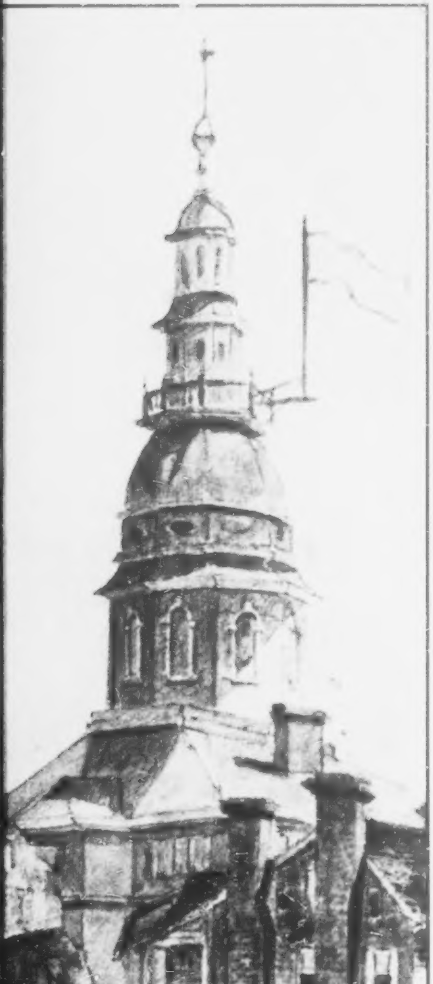
Annual Report
of the
Maryland Judiciary
1986-1987



The Bicentennial of the United States Constitution

★ ★ ★ ★ 1787—1987 ★ ★ ★ ★

The path of the Constitution includes the Maryland Statehouse in Annapolis and the Pennsylvania Statehouse in Philadelphia—Independence Hall.

Annual Report
of the
Maryland Judiciary
1986-1987

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141

COVER: Right—Pennsylvania Statehouse, Philadelphia—Independence Hall
Courtesy of the National Archives, Washington, D.C.
Left—The Maryland Statehouse attributed to C. Milburne (1794)
Hammond-Harwood House Association, Annapolis. Photograph,
Courtesy of the Maryland State Archives MdHRG1556-10

Report prepared by the
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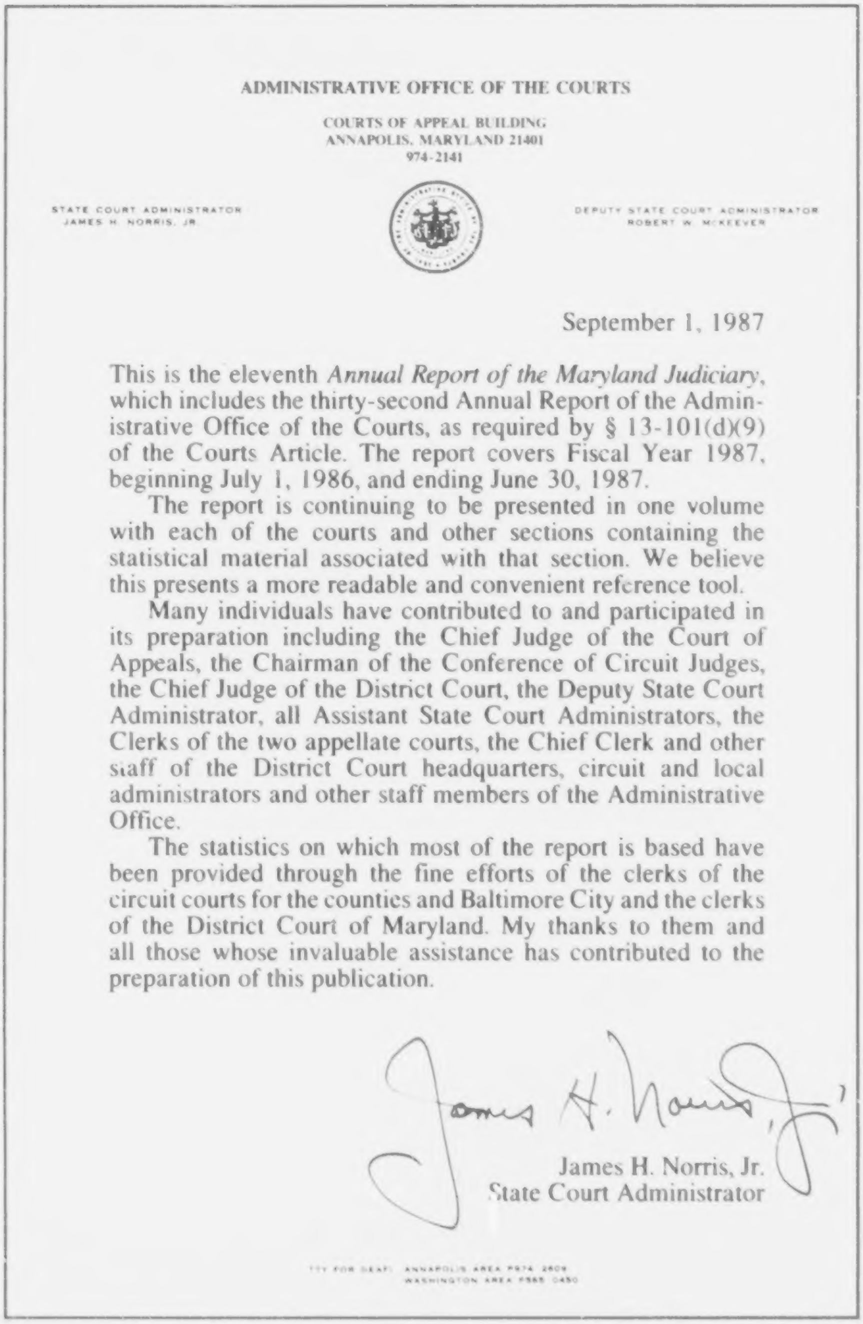
Letter of Transmittal



ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.

DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. McKEEVER

September 1, 1987

This is the eleventh *Annual Report of the Maryland Judiciary*, which includes the thirty-second Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1987, beginning July 1, 1986, and ending June 30, 1987.

The report is continuing to be presented in one volume with each of the courts and other sections containing the statistical material associated with that section. We believe this presents a more readable and convenient reference tool.

Many individuals have contributed to and participated in its preparation including the Chief Judge of the Court of Appeals, the Chairman of the Conference of Circuit Judges, the Chief Judge of the District Court, the Deputy State Court Administrator, all Assistant State Court Administrators, the Clerks of the two appellate courts, the Chief Clerk and other staff of the District Court headquarters, circuit and local administrators and other staff members of the Administrative Office.

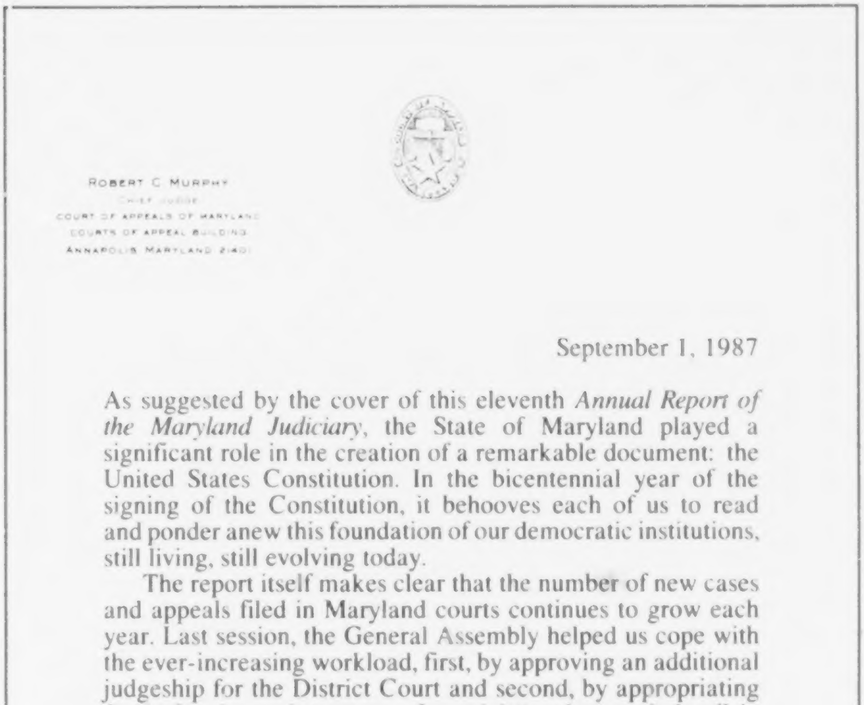
The statistics on which most of the report is based have been provided through the fine efforts of the clerks of the circuit courts for the counties and Baltimore City and the clerks of the District Court of Maryland. My thanks to them and all those whose invaluable assistance has contributed to the preparation of this publication.

James H. Norris, Jr.

James H. Norris, Jr.
State Court Administrator

TTY FOR DEAF: ANNAPOLIS AREA 974-2609
WASHINGTON AREA 565-0450

Introduction



ROBERT C MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS MARYLAND 21401

September 1, 1987

As suggested by the cover of this eleventh *Annual Report of the Maryland Judiciary*, the State of Maryland played a significant role in the creation of a remarkable document: the United States Constitution. In the bicentennial year of the signing of the Constitution, it behooves each of us to read and ponder anew this foundation of our democratic institutions, still living, still evolving today.

The report itself makes clear that the number of new cases and appeals filed in Maryland courts continues to grow each year. Last session, the General Assembly helped us cope with the ever-increasing workload, first, by approving an additional judgeship for the District Court and second, by appropriating funds for the maintenance of special "settlement judges" in the busiest circuit courts. The use of settlement judges promises to be one of the Judiciary's most effective innovations to clear clogged civil dockets. These judges, selected from the ranks of recent trial and appellate retirees, confer with counsel and litigants in an attempt to resolve disputes outside of the courtroom. Our experience shows that the nonadversarial atmosphere of these conferences encourages numerous settlements of the civil matters so treated, at a considerable savings of court time and expense.

As always, all of the judges and supporting staff in our courts deserve thanks and commendation for a job well done.

Robert C Murphy

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

State of the Judiciary Message

State of the Judiciary Message

To a Joint Session of the General Assembly of Maryland

Delivered by
Chief Judge Robert C. Murphy
January 28, 1987

Governor Schaefer, President Miller, Speaker Mitchell, Ladies and Gentlemen of the General Assembly:

This month—January 1987—marks my twentieth year as a member of the Maryland Judiciary—the last fifteen as Chief Judge of the Court of Appeals and Administrative Head of the Judicial Branch of our State Government. Within this fifteen year period, I have appeared before this distinguished body on seven prior occasions to inform you of Judicial Branch operations, problems and concerns and, in particular, to focus your attention on needed judicial reforms—reforms which cannot be accomplished without your approval. Not all of my recommendations have been greeted with universal enthusiasm—indeed, some have engendered downright hostility among a few members of the General Assembly, causing my good friend and sometimes principal tormentor, Senator Lapides, to remind his colleagues—as the time draws near for my biennial appearance in these historic chambers—that it is one thing to invite the Devil to come and quite another to see him walk through the door. But Senator Lapides notwithstanding, your response to Judicial Branch needs has, in the main, always been most gratifying and the Judiciary, in turn, has discharged its public trust in what I perceive to be a most faithful and satisfactory fashion.

The Maryland Judiciary is small, compact and tightly organized in comparison with other states of similar demographic characteristics. Excluding the Orphans Courts, and the Maryland Tax Court, which is not a court at all but an administrative agency, the judicial power of the State is presently exercised by 219 judges within four separate levels of our State Court system. Two levels are comprised of trial courts—the District Court of Maryland, and the circuit courts of the State—one in each county and Baltimore City. The other two are appellate courts—the Court of Special Appeals and the Court of Appeals. Each of these courts operates through well-defined administrative channels, with responsibility for their efficient day to day functioning being vested in a network of chief and administrative judges who are endowed with the requisite supervisory and managerial authority to make them work.

At the apex of this four-tiered judicial pyramid is the Court of Appeals of Maryland which, in effect, is the State's Supreme Court. The Court, like the General Assembly of Maryland, is a most venerable institution, its roots, like yours, can be traced to the mid-17th Century, well over a hundred years before the American Revolution. In addition to its adjudicatory and other responsibilities, the Court acts in a legislative capacity under the Maryland Constitution in promulgating Rules, having the force of law, which govern practice and procedure in all the courts of Maryland—a function of the most vital importance in the administration of justice within our State. I would like to recognize my esteemed colleagues on the Maryland Court of Appeals—Judge John C. Eldridge, Judge Harry A. Cole, Judge Lawrence F. Rodowsky, Judge James F. Couch, Jr., Judge John F. McAuliffe, and Judge William H. Adkins, II.

The thirteen member Court of Special Appeals—the second highest court on the judicial ladder—is twenty years old this month. The General Assembly had the vision to foresee the need for this intermediate appellate court because of what it wisely perceived in 1967 would be an avalanche of appeals far beyond the capacity of the seven judges of the Court of Appeals. Indeed, since its inception in 1967, the Court of Special Appeals has docketed 27,937 cases, filing in all 18,129 opinions. The Court, which sits in Annapolis, is widely acknowledged as one of the premier intermediate appellate courts in the country, due in no small measure to its Chief Judge since 1976—Richard P. Gilbert, a man of truly extraordinary talent—so much so that his national level peers recently elected him Chairman of the National Council of Chief Judges of State Courts of Appeal.

The 1985-86 Annual Report of the Maryland Judiciary contains all relevant data essential to assessing the performance of the judiciary.

A total of 109 judges serve on the circuit courts of the State. These are the common law trial courts of general jurisdiction—rich in tradition, with deep antecedents in the history of our State. These courts operate under the direction of circuit administrative judges, appointed by the Chief Judge of the Court of Appeals. Being locally rather than State-funded, these courts are not unified and thus there is no single chief judge of the circuit courts who exercises collective administrative direction over them. Nevertheless, the voice of circuit court judges is heard through its Conference of Circuit Judges, which elects its own chairman—the closest thing we have to a chief judge of the circuit courts. Raymond G. Thieme, Jr., an Associate Judge of the Circuit Court for Anne Arundel County, has just been reelected for his second term as Chairman of this august body. His headaches, like yours, multiply each time the phone rings in his office.

The District Court of Maryland is a trial court of limited statutory jurisdiction, having ninety judges parceled among twelve geographic districts throughout the State. This unified Court became operational in 1971 as a result of a constitutional amendment proposed by the legislature during the administration of Governor Mandel—a truly great achievement for which Governor Mandel will always be remembered. In its sixteen year existence, the Court has had but one chief judge who administers its vast caseload with a strong and firm hand—some say an iron fist. Whichever it is, accolade upon accolade has been heaped upon the performance of the District Court of Maryland and of its now aging chief administrator, Chief Judge Robert F. Sweeney.

By way of a net offset to the actual time-consuming trial of cases, with all their horrendous public expense, the Judiciary has enjoyed immense success in its court-ordered arbitration program now utilized in two of the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money damage suits, and in some domestic disputes, have mediated settlement of many hundreds of cases without trial.

The Court of Appeals Standing Committee on Rules of Practice and Procedure consists of 22 members. Of that number, 14 are lawyers, including two legislators, one each appointed by the President of the Senate and the Speaker of the House. Seven members are judges, and one is a circuit court clerk. The Rules Committee is a braintrust extraordinaire, which provides an enormous service to the judiciary and to the legal profession. The members work long hours without compensation in developing rules to govern practice and procedure in the courts of Maryland. The Chairman of the Committee is a man of singular intellectual attainment and a great judge, the Honorable Alan M. Wilner, an Associate Judge of the Court of Special Appeals.

The Administrative Office of the Courts, my principal administrative arm, is superbly directed by the State Court Administrator, James H. Norris, Jr., who has been in State service for over 30 years, first as a member of the Attorney General's Office, later as Chief Deputy and as the Clerk of the Court of Appeals—and since 1983 as the State Court Administrator. He is absolutely indispensable to the Judicial Branch.

In addition to the three thousand plus non-judicial employees of the Judicial Branch, there are two extremely important adjunct instrumentalities of the Judiciary, funded in their entirety by the lawyers of Maryland, and staffed by lawyers and lay persons, who serve, in large part, without compensation in the public interest. The first of these is the Attorney Grievance Commission, and its various operating appendages—the Office of Bar Counsel, the Lawyer Inquiry Panels and the Review Board—which together operate Maryland's remarkably effective attorney disciplinary machinery. The second is the Clients' Security Trust Fund which compensates clients of unscrupulous lawyers who have misappropriated their funds. One such payment last year, because of just one lawyer's defalcation, amounted to $126,249, all paid into the Fund by the lawyers of Maryland.

The State Board of Law Examiners, whose seven members serve with only token compensation, is another Judicial Branch adjunct of great importance. A total of 1,814 candidates took the Bar Examination in 1986. Of these, 1,044 were successful—a 57.5% overall passing rate. You should know that numerous members of the Bar, who serve without compensation on Character Committees throughout the State, interview and investigate each candidate's moral character fitness preliminary to their actual admission to practice law in our State.

The 1985-86 Annual Report of the Maryland Judiciary, which is available to each member of the General Assembly, contains, in minute detail, all relevant data essential to assessing the performance of the judiciary. A great deal of painstaking effort goes into this annual publication, which we present, not as a public relations document, but rather as a public information tool and as an internal device which permits the judiciary to monitor itself on a year by year basis. Because we are so proud of this publication, I was badly wounded last year when Senator Riley told me that she had read the report, from cover to cover, and found it terribly boring. I told her that the report was not designed to titillate, but that, for her, I would include some pictures in future editions to make it more appetizing, which we have done this year.

While the Judiciary has no public information officer, its Public Awareness Committee endeavors throughout the year to keep the public informed of the judicial role in our society. The Chair of that Committee, Judge Mary Arabian of Baltimore City, a judge for over 25 years—one of the very best in Maryland or in any other state for that matter—did extraordinarily effective work with the public television stations last year in producing a series of programs to acquaint the public with Judicial Branch operations—programs for which the Judiciary, and the PBS stations, received a highly coveted award from the American Bar Association. Other programs are now in the works, and through this medium we hope to remove the mystique which clouds the public's understanding of the Judicial Branch of Government.

In its latest report on the subject, for the year 1983, the Department of Justice has disclosed that combined federal, state and local spending on civil and criminal justice amounted to 39.7 billion dollars. This is only one-half of the amount paid from public treasuries for housing and the environment; less than three times the amount of interest paid on the public debt; and less than four times the amount spent for public education. Police protection appears to be the most costly of the justice expenditures; with correctional services a fast growing second and judicial services a distant third, even though 98% of all litigation in this country is conducted in state courts. These national level statistics, relative to the cost of judicial services, square with our own in Maryland, which indicate that the Judiciary receives roughly .06% of state budgeted funds (while returning over $40 million in revenues to the State).

Although the net expense of the Judiciary to the public is not large, we recognize that our needs—like those of all units and branches of government—must be fully justified to you. Since 1979, in accordance with a Legislative Policy Committee directive, I have formally certified to this body what I believe to be the need for new judgeships in the coming budget year. Since that procedure was initiated, we have requested and received 19 new circuit court and 4 district court judgeships, considerably less than the corresponding percentage increase in the cases filed in those courts within that time. We recognize, of course, that the caseload of the courts will always increase in far greater proportion than the number of judgeships which you can reasonably authorize. For that reason, we have, with your approval, made extensive use of our constitutional authority to utilize retired judges for temporary periods in courts where caseload emergencies demand that course of action. For your information, in the past fiscal year we utilized retired judges for 205 days in the circuit courts; 333 days in the District Court; and 159 days in the appellate courts. You should also know that, this year, we face a number of unusually protracted civil trials as a result of the collapse of several savings and loan institutions. Trial times of from 4 to 6 months are estimated for each of those cases and, in one jurisdiction, a makeshift courtroom is being constructed in an unused public school to accommodate multiple parties represented by as many as 40 lawyers. Asbestos-related cases by the many hundreds have been filed in the circuit courts, primarily in Baltimore City and Baltimore County, which will seriously strain our total judicial resources over the next 5 years. And this year's scheduled opening of the new prison in Somerset County, which will house some 2,500 inmates, will spawn considerable additional civil and criminal litigation in the district and circuit courts in that region of the State.

By way of a net offset to the actual time-consuming trial of cases, with all their horrendous public expense, the Judiciary has enjoyed immense success in its court-ordered arbitration program now utilized in two of the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money damage suits, and in some domestic disputes, have mediated settlement of many hundreds of cases without trial. Both the Maryland State Bar Association and a committee of the Maryland Judicial Conference have urged that this program be expanded to other circuit courts; that retired judges be invested with judicial powers while acting in the settlement of these cases; and that they be paid by the State, rather than by the local jurisdiction, as is now being done. I will therefore seek a supplement to our regular retired judge appropriations in this budget cycle to expand the program and to avail ourselves of its enormous cost-saving and caseload management benefits. Anticipating success in this regard, and taking into account a comprehensive set of factors by which we determine new judgeship needs, including space limitations in our various overcrowded courthouses, I certify the need for one additional judgeship at this time—this for the District Court in Montgomery County, where despite all our efforts, that court remains backlogged to such

Roughly 19,000 criminal homicides are committed in this country every year. Thirty-seven states, including Maryland, now have capital sentencing statutes pursuant to which about 300 persons each year are sentenced to death.

a critical degree that only an additional active judge will resolve our caseload problems in that jurisdiction.

A few vital statistics may be of interest to you with respect to the operation of our trial courts. In the District Court, total filings, including traffic, were 1,586,125 in Fiscal 1986. Of this number, 316,320 civil, criminal and juvenile cases resulted in trials before the judges of the District Court—roughly 3,721 per District Court judge yearly on an average. This is an increase of 4.7% over the past year and encompasses drinking driver cases, of which there were 33,302 in Fiscal 1986, an increase of 5.5%, or 1,750 cases over the preceding year.

In the circuit courts 186,210 cases of all kinds were filed in Fiscal 1986—an increase of 8.2% over the preceding year. Of this increase 14.3% was in criminal filings, 12.5% in juvenile and 4.5% in civil cases. The time required to terminate cases in the circuit courts between filing and disposition, on an average, was 204 days in civil cases, 106 days in criminal cases and 66 days in juvenile matters. These figures plainly demonstrate that the judges are keeping well abreast of their dockets, although there are a few pockets where improvement in case disposition time is sorely needed and we are, I assure you, working on it.

I turn next, with great trepidation, to Maryland's death penalty statute, concerning which I have been asked to comment respecting its application, implementation and cost. Preliminarily, I note that the morality and efficacy of the death penalty is not the official concern of any judge—the judicial role is strictly limited to applying the relevant constitutional and other applicable law to the facts of each death penalty case—no more, no less. The members of this body, as elected representatives of the people, established the public policy of this State when, in 1978, you enacted Maryland's present capital sentencing law, authorizing the death penalty for a specified class of first degree murders. Why then, the question is asked, have there been no executions in Maryland in the nine years which have elapsed since the enactment of the statute?

Touching briefly on other matters, an amendment to the Maryland Constitution to remove circuit court judges from the contested election process—thereby placing them on an equal footing with all other Maryland judges—continues to be of the greatest importance to the Judiciary.

A little history is first in order. Until 1972 the Maryland death penalty statute, like those in other states, permitted either a life or death sentence for certain capital offenses; the choice was wholly within the discretion of the trial judge. Because there were no standards to guide the exercise of the judge's discretion, the Supreme Court in 1972 declared all such death penalty statutes violative of the cruel and unusual punishment provisions of the Federal Constitution. Almost 3,000 prisoners then on death row in the prisons of the country, including those in Maryland, were given reprieves to life imprisonment. The legislatures in many states, including Maryland, thereafter perceived that if unbridled judicial sentencing discretion was unconstitutional, a mandatory death sentence statute for certain capital offenses in which the sentencing judge had no discretion would be constitutional. In 1975 this body enacted that type of death penalty statute. But shortly thereafter the Supreme Court decided that, because mandatory death penalty statutes did not permit the sentencing authority to consider the record of the defendant, and the circumstances of the offense, they too were unconstitutional.

The nation's death rows were once again emptied and once again legislative bodies all across the country enacted new statutes—this time establishing strict and detailed rules to be followed by the sentencing authority before a death penalty could lawfully be imposed. The Supreme Court in 1976, in several plurality opinions—described by some scholars as both misty and muddy—found these so-called guided discretion statutes to be generally constitutional as long as the statutory provisions were strictly and scrupulously observed.

These new statutes afforded capital defendants procedural and substantive protections well beyond those required for noncapital felons and their proper application proved extremely difficult and complicated, resulting in a high incidence of appellate reversals for trial error—not because of some mere technicality—but because the Constitution of the United States, or the provisions of the death penalty statutes themselves, were violated in a way that mandated that new trials or resentencing hearings be held.

Roughly 19,000 criminal homicides are committed in this country every year. Thirty-seven states, including Maryland, now have capital sentencing statutes pursuant to which about 300 persons each year are sentenced to death. Since 1976 there have been a total of 67 executions, none in Maryland (the last execution in our State was in 1961, over 25 years ago). As of December 1986, 1,838 persons are being held under death sentences. In view of the stakes involved, virtually every death row inmate is utilizing all available judicial avenues to upset their sentences, and these proceedings are protracted and expensive, to say the least. To illustrate, after a death sentence is affirmed on appeal by the State's highest Court, which sometimes is years after the crime was committed, a minimum of 12 additional state and federal court reviews are possible. For example, under a recent amendment to your own post conviction statute, a death penalty inmate may file two petitions, claiming a violation of constitutional or statutory rights. One type of petition which has been filed in death penalty cases, and will likely be routine in all such cases, is that the inmate's lawyer at trial, or on appeal, was incompetent, and that a new trial or another appeal is therefore constitutionally mandated. Experience indicates that these cases alone require as many as five trial days. Another proceeding, just sanctioned by the Supreme Court, affords an individual under death sentence a constitutional right to a court determination, including appellate review, of his sanity before execution can be carried out. The Governor's Task Force on Mentally Ill Offenders, in its report, indicates that a new statute must be enacted at this session in order to conform our law with the requirements of the Federal Constitution.

Since Maryland's capital sentencing statute was enacted in 1978, Maryland prosecutors have filed death penalty notices 192 times. Of this number, 68 individuals actually faced a sentencing tribunal empowered to impose capital punishment. Of these, 26 death penalties were actually imposed. The Maryland Court of Appeals has heard almost 40 death penalty cases, several involving the same individual as many as four times. There are now 17 individuals on death row in our State. The first death penalty affirmed by the Maryland Court of Appeals was for a murder committed in 1978. That case has just cleared the State courts and is now in the federal court system, where it may be again reviewed, beginning from square one.

Another policy matter of the most vital importance to the Judiciary involves the inundating of the circuit courts of the state with phony requests for jury trials in misdemeanor cases which you intended would be routinely tried by District Court judges.

It has now been over ten years since the Supreme Court first approved guided discretion capital sentencing statutes and still serious constitutional and other legal challenges are being made to their validity. You may ask whether the time is close at hand when most of the legal problems will have been ironed out so that death penalty appeals will be treated as routinely as other criminal appeals. I doubt seriously that that day, if it ever comes, is close at hand.

In 1983, the Joint Chairmen of the budget committees sought an assessment of the costs of implementing Maryland's death penalty law. The Governor's Criminal Justice Coordinating Council undertook such a study and filed its report in 1985. Due to the absence of relevant cost data, the report was incomplete and inaccurate. Studies in other states, however, indicate that death penalty litigation is enormously expensive. Oregon estimated such costs at $700,000 per capital prosecution; California estimated $500,000 per case; and New York $1,828,000. When account is taken of the so-called failure rate in capital prosecutions, California estimated the costs per execution to be $4,500,000 while New York estimated $7,300,000. The accuracy of these figures may well be suspect. The American Bar Association has initiated a study to determine the actual true cost of death penalty litigation and its report, widely awaited, should prove of interest to this body.

We also will renew our efforts to obtain your approval to use six rather than 12-person juries in civil cases.

Touching briefly on other matters, an amendment to the Maryland Constitution to remove circuit court judges from the contested election process—thereby placing them on an equal footing with all other Maryland judges—continues to be of the greatest importance to the Judiciary. In this last election, sitting circuit court judges were challenged in five out of eight judicial circuits, in three of which District Court judges, securely tenured in their own judgeships, ran against circuit court judges who, if defeated, stood to lose everything. To so pit judge against judge in a popular election contest, where there are no political issues to debate, and no constituencies to represent, ill serves the public interest. Recognizing that proposed amendments to the State Constitution will not be considered at this session, I ask that, in the interim, the Legislative Policy Committee review this truly critical policy matter and make a recommendation to the General Assembly at its 1988 session.

Another policy matter of the most vital importance to the Judiciary involves the inundating of the circuit courts of the state with phony requests for jury trials in misdemeanor cases which you intended would be routinely tried by District Court judges. Almost 25,000 times this past year were such cases removed from the District Court. While less than two percent of this number actually resulted in circuit court jury trials, the considerable expense and terrible inconvenience associated with such case transfers impacts most severely on our ability to efficiently administer the criminal justice system in Maryland. Unless changes are made to the existing law, and to the Maryland Constitution, the problem will simply be beyond resolution. A special committee of District and circuit court judges is now preparing a report on this subject, which we plan to refer to the Legislative Policy Committee for its review prior to the next session of the General Assembly.

We also will renew our efforts to obtain your approval to use six rather than 12-person juries in civil cases. Such a change will not sacrifice the quality of jury deliberations or the desired cross-sectional representation of diverse groups. It will, however, save time and money in the operation of our court system. And we shall also continue to seek the abolition of the wasteful, the mindless, the totally redundant de novo trial procedure in cases appealed from the District Court to the circuit courts—in favor of review solely on the record.

And should this be a year when you consider whether the State should assume all costs of operating its circuit courts—thereby relieving the political subdivisions of this financial burden—I caution that more is involved—a great deal more—than merely substituting one funding source for another. On the contrary, such a change would have profound implications on the judicial structure in this State.

Under the heading of things you should know, the Judiciary, after extensive study this year, has adopted two new ethical codes—one governing lawyers and the other judges.

On another subject, the Judicial Compensation Commission, which you created in 1980 as the appropriate expert body to recommend salary levels for all Maryland judges, conducted extensive public hearings throughout 1986 and heard from numerous witnesses, including business leaders. The Commission has proposed salary increases for all Maryland judges, the justification for which is contained in its detailed report. The Judiciary fully supports the Commission's recommendations and we urge that you accede to the Commission's resolution without change.

Under the heading of things you should know, the Judiciary, after extensive study this year, has adopted two new ethical codes—one governing lawyers and the other judges. And a joint committee of the Judiciary and the State Bar Association has recently undertaken a study to determine whether, as some individuals charge, gender bias exists within the Maryland court system. The Committee's mission is to determine how gender bias, if it exists, affects decision making in the courts as well as those who participate in the judicial system—judges, lawyers, litigants, jurors, witnesses, court employees, and members of the public. Of course, if such bias is a reality, it will promptly be eliminated—as all who come into contact with the court system must and will be afforded equal treatment.

Maryland's pioneering sentencing guidelines project, which was designed to eliminate unjustified disparities in the criminal sentencing process, is presently undergoing revision which contemplates the inclusion of drinking driver cases to more uniformly serve justice in this area of such critical public concern.

Maryland's pioneering sentencing guidelines project, which was designed to eliminate unjustified disparities in the criminal sentencing process, is presently undergoing revision which contemplates the inclusion of drinking driver cases to more uniformly serve justice in this area of such critical public concern. And, finally, the Judicial Data Center in Annapolis, of which we dreamed so mightily, and which you ladies and gentlemen have provided to us, is fast approaching full flower. As you directed last year, we are deeply involved with the clerks of the circuit courts in the development of a cost-effective automated information processing plan, which will encompass both the judicial and non-judicial components of the work of the clerks, and will tie into and exchange data with other State and local agencies.

Speaking for my fellow judges, as well as all personnel of the Judicial Department, I express to you ladies and gentlemen of the General Assembly our grateful thanks for all the assistance and help which you have provided to us over the years.

Judicial Revenues and Expenditures

Judicial Revenues and Expenditures

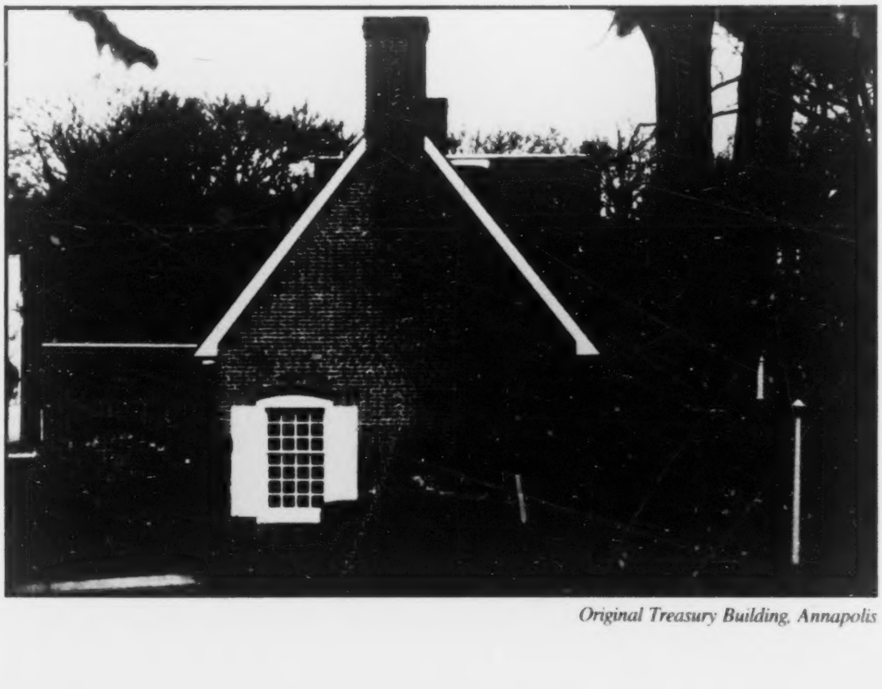
State and local costs to support the operations of the judicial branch of government were approximately $123,900,000 in Fiscal 1987. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts, including the Circuit Court for Baltimore City; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 219 judicial positions as of June 30, 1987, and approximately 3,300 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget concept and expended $66,960,565 in the twelve-month period ending June 30, 1987. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended $40,945,123 but brought in general revenue of $43,267,460 in Fiscal 1987. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs provide funds for the Administrative

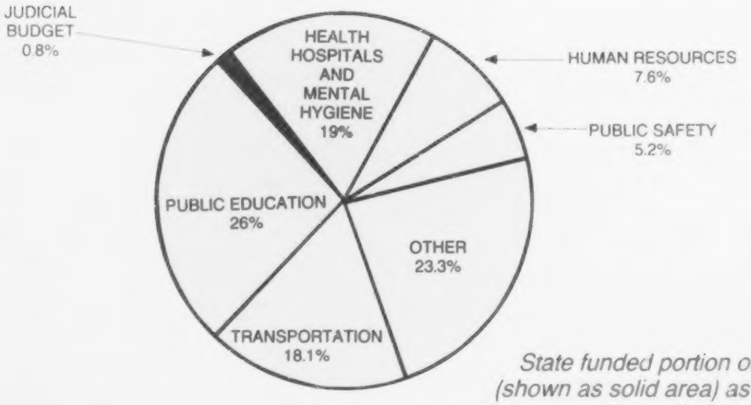
Judicial Branch Personnel in Profile

Judicial Personnel	219
Nonjudicial Personnel	
Court of Appeals	29
Court of Special Appeals	57
District Court	1,080
Administrative Office of the Courts	123.8
Court-Related Offices (Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, and State Reporter)	21
Circuit Courts	2
Clerks' Offices—Circuit Courts	1,053
Circuit Courts—Local Funding	707.8
Total	3,292.6*

*Includes permanent and contractual positions.



Original Treasury Building, Annapolis



State funded portion of judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1987

State Funded Judicial Budget

Revenues*

Program	Actual FY 1985	Actual FY 1986	Actual FY 1987
Court of Appeals	$ 56,408	$ 57,102	$ 69,218
Court of Special Appeals	56,415	65,324	64,766
State Board of Law Examiners	300,905	377,754	393,303
District Court	34,497,821	41,479,118	43,267,460
TOTAL	$34,911,549	$41,979,298	$43,794,747

* Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

Program	Actual FY 1985	Actual FY 1986	Actual FY 1987
Court of Appeals	$ 1,513,844	$ 1,708,294	$ 1,916,858
Court of Special Appeals	2,787,737	3,049,788	3,501,379
Circuit Courts	10,470,180	11,263,461	12,215,344
District Court	31,151,054	37,684,750	40,945,123
Maryland Judicial Conference	75,365	77,167	84,495
Administrative Office of the Courts	1,280,621	1,427,058	1,555,808
Court-Related Agencies	564,155	664,168	736,830
Maryland State Law Library	365,035	426,214	468,759
Judicial Data Processing	4,730,127	5,766,217	5,535,969
TOTAL	$52,938,118	$62,067,117	$66,960,565

* Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

Office of the Courts, the Maryland State Law Library, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The figures and the tables show the state-funded judicial revenue and expenditures for Fiscal 1987. The court-related revenue of almost $43.8 million is remitted to the State's general fund and cannot be used to offset expenditures.

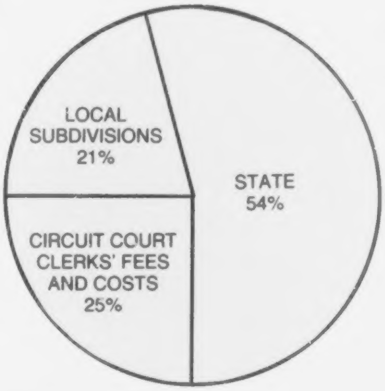
The total state budget was $8.4 billion in Fiscal 1987. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire state budget, approximately 0.8 of one percent.

Operating costs for the clerks' offices of the circuit courts presently are paid from filing fees, court costs and commissions collected by these offices. Any deficiencies are paid by the State from a (1) non-budgeted fund maintained by the State Comptroller and a (2) general fund appropriation by the legislature. Expenses for Fiscal 1987 were $30,640,980 and fees and commissions totaled $37,944,990. Fourteen of the 24 clerks' offices ended the year with a surplus, which is reflected in the total of fees and commissions. However, these surpluses revert to the general fund and cannot be used to offset deficits occurring in the other offices. Expenses of 10 offices so exceeded their fees and commissions that the State had to pay $3,147,333 from these two sources in Fiscal 1987, compared to approximately $3.3 million in Fiscal 1986.

In the 1986 Legislative Session, a significant step was taken to change the structure of funding the clerks' offices of the circuit courts by providing full funding. All state fees and commissions would be remitted to the State's general fund. A constitutional amendment was introduced, passed, and was ratified by the voters in November of 1986. Therefore, this is the last fiscal year in which clerks' offices will pay their costs from filing fees, costs and commissions from deficiency funds appropriated by the State. Beginning July 1, 1987, these offices will be fully state funded.

Other circuit court costs are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1987, the appropriations by the local subdivisions were approximately $27.3 million. Court-related revenues collected by the circuit court from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions.

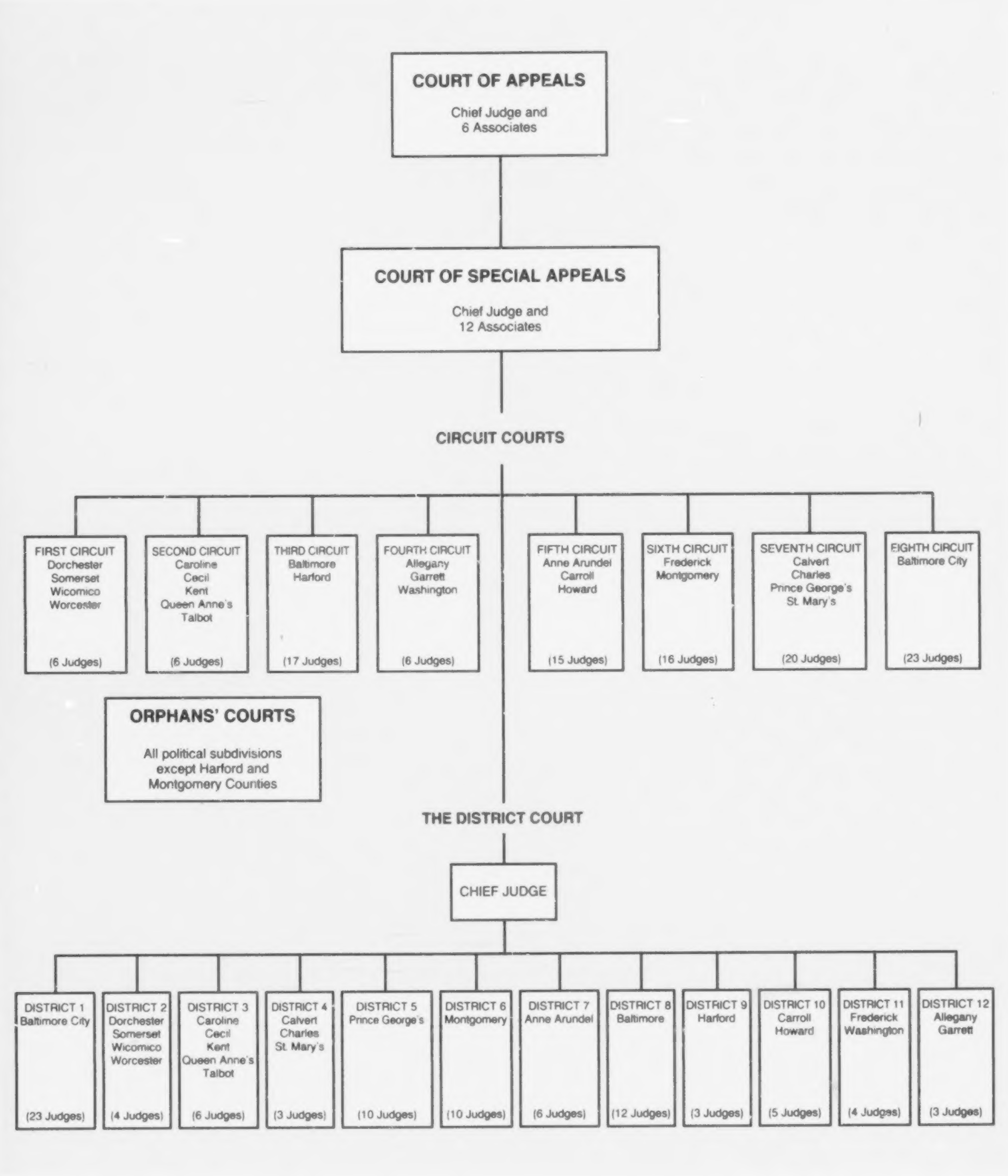
The chart illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, show that the state portion accounts for approximately 54% of all costs, while the local subdivisions' and the clerks' offices account for 21% and 25%, respectively.



Source of funding to support the judicial branch of government

The Maryland Courts

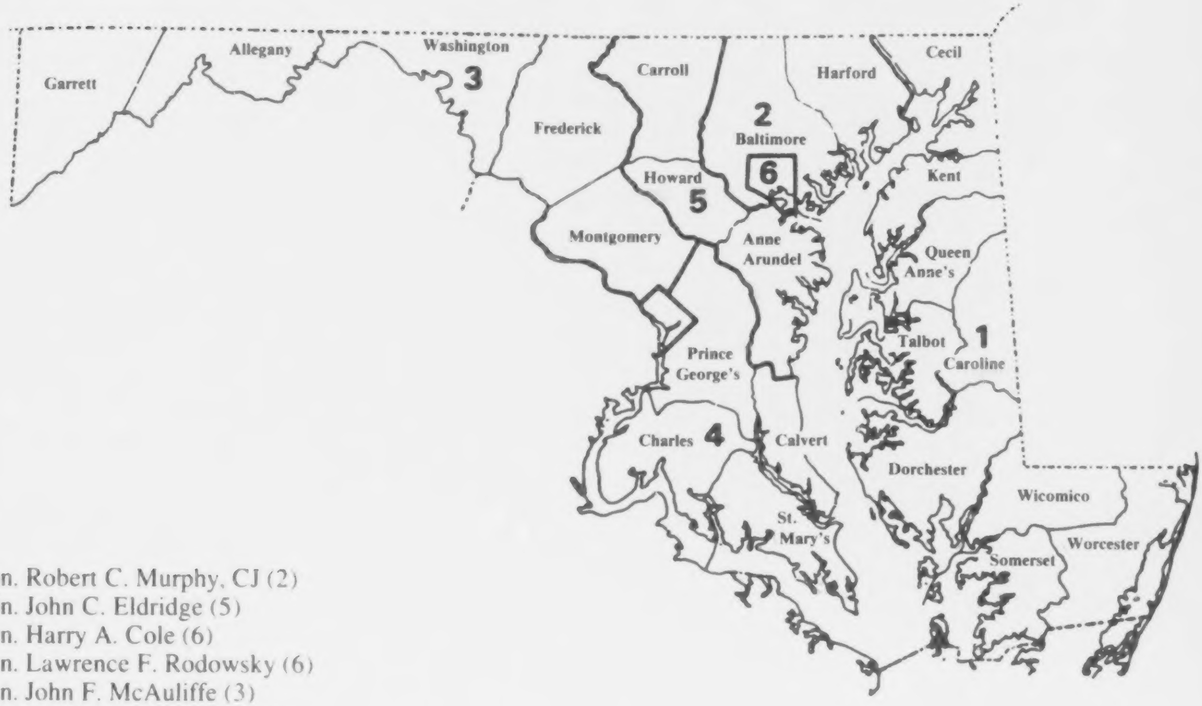
THE MARYLAND JUDICIAL SYSTEM


COURT OF APPEALS
Chief Judge and 6 Associates
COURT OF SPECIAL APPEALS
Chief Judge and 12 Associates
CIRCUIT COURTS
FIRST CIRCUIT Dorchester Somerset Wicomico Worcester (6 Judges)
SECOND CIRCUIT Caroline Cecil Kent Queen Anne's Talbot (6 Judges)
THIRD CIRCUIT Baltimore Harford (17 Judges)
FOURTH CIRCUIT Allegany Garrett Washington (6 Judges)
FIFTH CIRCUIT Anne Arundel Carroll Howard (15 Judges)
SIXTH CIRCUIT Frederick Montgomery (16 Judges)
SEVENTH CIRCUIT Calvert Charles Prince George's St. Mary's (20 Judges)
EIGHTH CIRCUIT Baltimore City (23 Judges)
ORPHANS' COURTS
All political subdivisions except Harford and Montgomery Counties
THE DISTRICT COURT
CHIEF JUDGE
DISTRICT 1 Baltimore City (23 Judges)
DISTRICT 2 Dorchester Somerset Wicomico Worcester (4 Judges)
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot (6 Judges)
DISTRICT 4 Calvert Charles St. Mary's (3 Judges)
DISTRICT 5 Prince George's (10 Judges)
DISTRICT 6 Montgomery (10 Judges)
DISTRICT 7 Anne Arundel (6 Judges)
DISTRICT 8 Baltimore (12 Judges)
DISTRICT 9 Harford (3 Judges)
DISTRICT 10 Carroll Howard (5 Judges)
DISTRICT 11 Frederick Washington (4 Judges)
DISTRICT 12 Allegany Garrett (3 Judges)

The Court of Appeals

The Court of Appeals Judicial Map and Members

as of September 1, 1987



Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. William H. Adkins, II (1)
Hon. Albert T. Blackwell, Jr. (4)

The Court of Appeals

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has only sat in Annapolis. At the present time, the Court is composed of seven members, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court run for office unopposed on their records, after initial appointment by the Governor and confirmation by the Senate. If a judge's retention in office is rejected by the voters or if the vote is tied, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

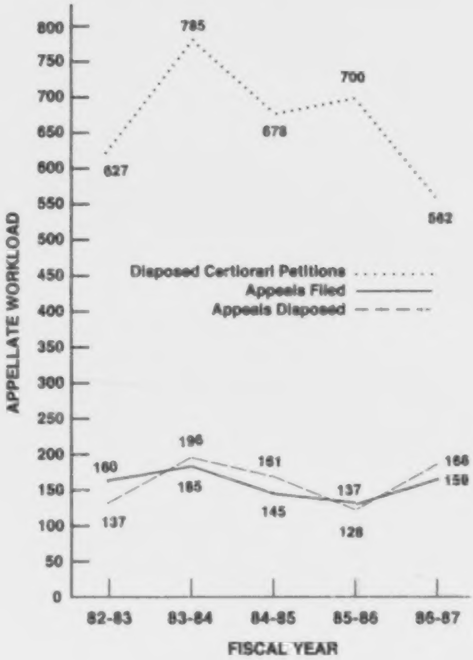
As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. Since that time, the Court's formerly excessive workload has been reduced to a manageable level. This has allowed the Court to devote its efforts to the most important and far-reaching decisions.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which have the force of law. It admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified for review by federal and other state appellate courts.

As indicated in Table CA-1, the number of regular docket appeals filed and terminated has fluctuated near the 160 level over the past five fiscal years. Disposed certiorari petitions showed a significant decrease during Fiscal 1987, declining from 700 disposed petitions in Fiscal 1986 to 562 in Fiscal 1987. Total case dispositions also decreased during Fiscal 1987 which directly corresponds to the decrease in certiorari petitions.

TABLE CA-1

COURT OF APPEALS—APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



Filings

Matters filed on the September 1986 docket formed the incoming workload of the Court of Appeals for Fiscal Year 1987. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Filings are counted by Term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30, in this report.

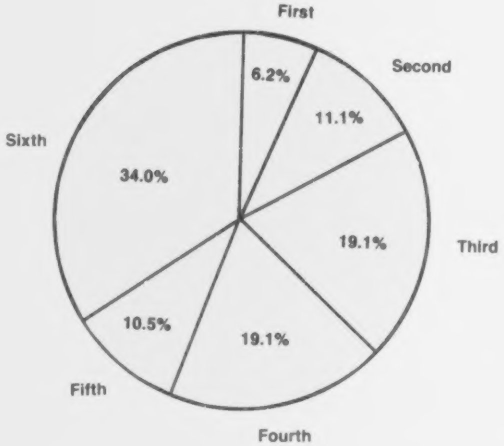
For the September 1986 Term, there was a total of 888 filings docketed. Included in the number of total filings were 655 petitions for certiorari; 162 regular cases; 44 attorney discipline proceedings; and 27 miscellaneous appeals, of which two were bar admission proceedings and five were certified questions of law from the United States District Court.

A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the circuit court or an orphan's court. The Court grants those proceedings it feels are "desirable and in the public interest." Certiorari may also be granted, under certain circumstances, to cases that have been appealed to the circuit court from the District Court after initial appeal has been heard in the circuit court. Of the 562 petitions considered during Fiscal 1987, the Court granted 104 or 18.5 percent (Table CA-6). Of the 562 petitions considered during Fiscal 1987, 276 (49.1 percent) were criminal while the remaining 286 (50.9 percent) were categorized as civil (Table CA-9).

The Court assigns cases to its regular docket after certiorari has been granted. It may also, on its own motions, add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the Court of Special Appeals. For the 1986 Term, a total of 162 cases was docketed (Table CA-3). Of that amount, 58 (35.8 percent) were criminal cases while 104 (64.2 percent) were civil which included equity, law, and juvenile cases. Geographically, Baltimore City contributed the greatest number of cases, 55 or 34 percent. The four largest counties contributed 77 (47.5 percent) and 30 cases (18.5 percent) came from the remaining 19 counties. Of the four largest counties, Prince George's contributed the most cases with 29, followed closely by Montgomery with 24. Baltimore and Anne Arundel contributed 16 and 8 cases, respectively (Table CA-7).

TABLE CA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS
COURT OF APPEALS
1986 TERM



First Appellate Circuit—10 or 6.2%
Second Appellate Circuit—18 or 11.1%
Third Appellate Circuit—31 or 19.1%
Fourth Appellate Circuit—31 or 19.1%
Fifth Appellate Circuit—17 or 10.5%
Sixth Appellate Circuit—55 or 34.0%
Total—State—162 or 100%

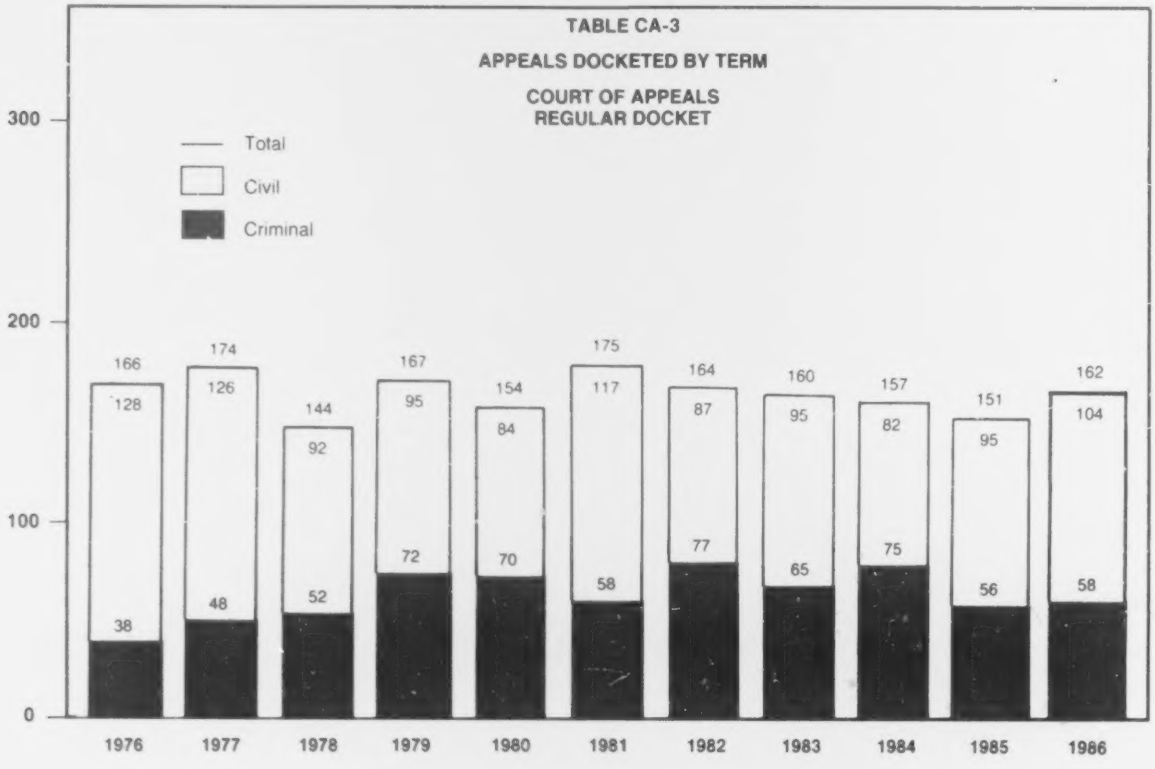


TABLE CA-3

APPEALS DOCKETED BY TERM

COURT OF APPEALS
REGULAR DOCKET

Dispositions

The Court of Appeals disposed of 784 cases during Fiscal Year 1987. Included in the number of total dispositions were 166 cases from the regular docket; 562 petitions for certiorari; 33 attorney grievance proceedings; and 23 miscellaneous appeals, of which two were bar admissions proceedings and four were certified questions of law (Table CA-4). The Court also admitted 1,258 persons to the practice of law; 189 of those individuals were attorneys from other jurisdictions.

During Fiscal Year 1987, the Court of Appeals disposed of 166 cases on its regular docket. Four of those cases were from the 1984 Term, 54 were from the 1985 Term, 103 were from the 1986 Term, and the remaining five cases were from the 1987 Term. Of the 166 dispositions, 100 (60.2 percent) were civil, 61 (36.8 percent) were criminal, and the remaining five cases (3.0 percent) were juvenile in nature. As to the type of disposition, 60 affirmed the lower court's decision, 58 reversed, and 24 were vacated and remanded to the lower court. Eleven decisions were affirmed in part, reversed in part; two cases were remanded without affirmance or reversal; six cases were dismissed without an opinion; four cases were dismissed prior to argument or submission; and one case was rescinded (Table CA-8).

The Court averaged 3.6 months from the time certiorari was granted to the date of argument. From argument to final decision, the average case took 5.3 months while the Court expended an average of 8.4 months to take a case from the date certiorari was granted to the date the decision was handed down (Table CA-10). During Fiscal 1987, the Court filed 132 majority opinions of which six were per curiam. There were also eleven dissenting opinions and eight concurring opinions filed as well as four that were dissenting in part and concurring in part.

TABLE CA-4

DISPOSITION OF TOTAL CASELOAD
COURT OF APPEALS

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

Regular Docket	166
Petitions for Certiorari	562
Attorney Grievance Proceedings	33
Bar Admissions Proceedings	2
Certified Questions of Law	4
Miscellaneous Appeals	17
Total Dispositions	**784**

Pending

At the close of Fiscal 1987, the Court had pending before it 124 cases. There was one case pending from the 1984 Term, ten from the 1985 Term, 56 from the 1986 Term, and 57 cases from the 1987 Term. The bulk of the cases pending from the 1987 Term were cases that had been filed at the end of Fiscal 1987 and were scheduled to be argued during the September 1987 Term. Approximately 53.2 percent (66) of the pending cases were civil, 43.5 percent (54) were criminal, and the remaining four were juvenile in nature (Table CA-5).

TABLE CA-5

CASES PENDING
COURT OF APPEALS

Regular Docket

June 30, 1987

	Civil	Juvenile	Criminal	Total
Origin				
1984 Docket	1	0	0	1
1985 Docket	5	0	5	10
1986 Docket	27	2	27	56
1987 Docket	33	2	22	57
Total	66	4	54	124

Trends

Continuing the trend of the past few years, the Court of Appeals reported a total of 888 filings for the 1986 Term. Included in that number are 655 petitions for certiorari; 162 regular docket cases; 44 attorney discipline proceedings; and 27 miscellaneous appeals. Since the 1981 Term, the number of filings has exceeded the 850 mark with a high of 981 reported during the 1983 Term. Petition docket dispositions ranged from a high of 785 in Fiscal Year 1984 to a low of 562 in Fiscal Year 1987. However, the percentage of certiorari petitions granted has fluctuated over the past five fiscal years with no discernible trend. They have ranged from 13.3 percent to 19.1 percent.

The Court will no doubt continue to be faced with issues that will entail lengthy and complex litigation requiring extensive time and effort for disposition. Although there were less total dispositions—regular docket dispositions increased—during Fiscal 1987, the disposition time was approximately the same as was the number of pending cases. In Fiscal 1986, the average time from the granting of certiorari petitions to the final decision was 8.5 months compared to 8.4 months in Fiscal 1987. Also, there were 121 cases pending before the Court at the close of Fiscal 1986 compared to 124 at the close of Fiscal 1987. It is anticipated that in the years ahead, the Court of Appeals will have continuing demands placed on its time and effort in the disposition of its workload.

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE PETITIONS FOR CERTIORARI GRANTED

FISCAL 1983—FISCAL 1987

Fiscal Year	Total Dispositions	Number Granted	Percentage
1983	627	120	19.1
1984	785	136	17.3
1985	678	90	13.3
1986	700	104	14.9
1987	562	104	18.5

TABLE CA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF APPEALS

1986 TERM

FIRST APPELLATE CIRCUIT		**10**
Caroline County	0	
Cecil County	2	
Dorchester County	0	
Kent County	1	
Queen Anne's County	2	
Somerset County	1	
Talbot County	0	
Wicomico County	0	
Worcester County	4	
SECOND APPELLATE CIRCUIT		**18**
Baltimore County	16	
Harford County	2	
THIRD APPELLATE CIRCUIT		**31**
Allegany County	3	
Frederick County	2	
Garrett County	1	
Montgomery County	24	
Washington County	1	
FOURTH APPELLATE CIRCUIT		**31**
Calvert County	1	
Charles County	0	
Prince George's County	29	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT		**17**
Anne Arundel County	8	
Carroll County	5	
Howard County	4	
SIXTH APPELLATE CIRCUIT		**55**
Baltimore City	55	
TOTAL		**162**

TABLE CA-8

DISPOSITION OF COURT OF APPEALS CASES

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Civil	Juvenile	Criminal	Total
Affirmed	35	2	23	60
Reversed	34	2	22	58
Dismissed—Opinion Filed	0	0	0	0
Dismissed Without Opinion	4	0	2	6
Remanded Without Affirmance or Reversal	1	0	1	2
Vacated and Remanded	17	1	6	24
Affirmed in Part, Reversed in Part	4	0	7	11
Dismissed Prior to Argument or Submission	4	0	0	4
Transferred to Court of Special Appeals	0	0	0	0
Rescinded	1	0	0	1
Origin				
1984 Docket	3	0	1	4
1985 Docket	28	0	26	54
1986 Docket	66	4	33	103
1987 Docket	3	1	1	5
Total Cases Disposed During Fiscal 1987	**100**	**5**	**61**	**166**

TABLE CA-9

PETITION DOCKET DISPOSITIONS*

(Petitions for Certiorari)

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Granted	Dismisssed	Denied	Withdrawn	Total
PETITIONS	**104**	**7**	**446**	**5**	**562**
Civil	62	4	216	4	286
Criminal	42	3	230	1	276

*654 filed in Fiscal 1987.

TABLE CA-10

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Certiorari Granted to Argument or to Disposition Without Argument[a]	Argument to Decision[b]	Certiorari Granted to Decision[a]
Days	109	160	253
Months	3.6	5.3	8.4
Number of Cases	166	150	166

[a] Includes all cases disposed in Fiscal 1987.

[b] Includes all cases disposed in Fiscal 1987 which were argued.

TABLE CA-11

FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF APPEALS

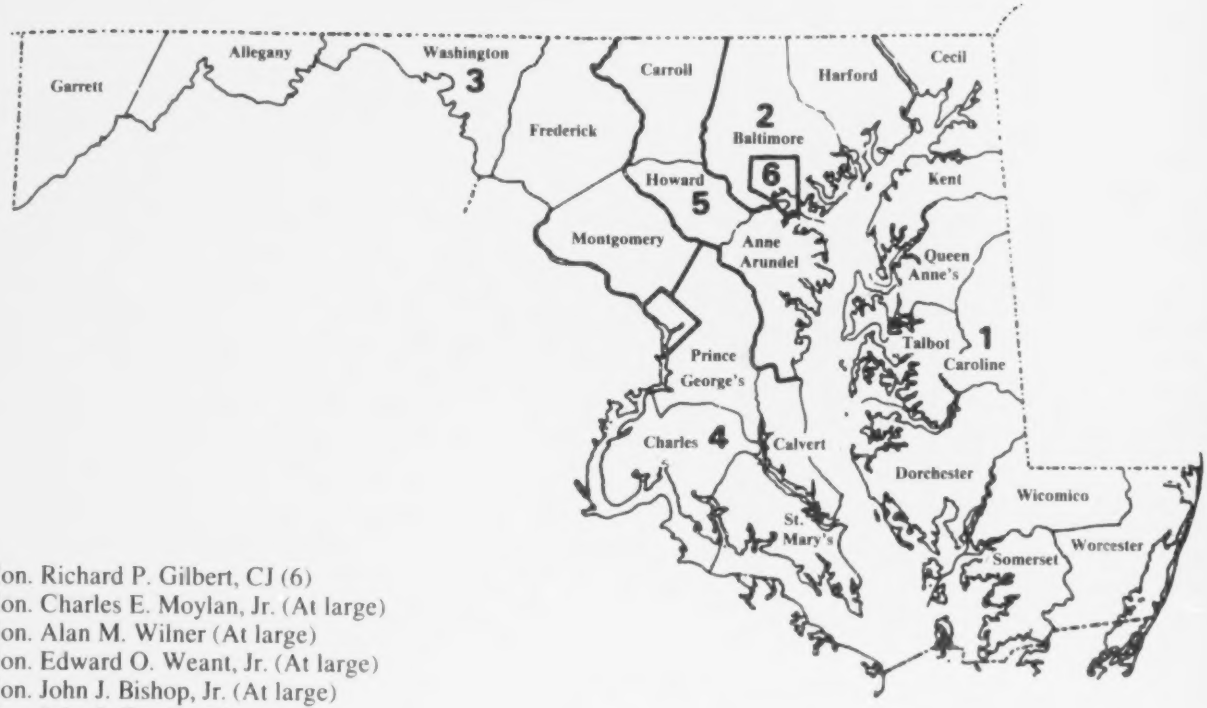
(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1982	308 10.3	125 4.2
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4
1985	303 10.1	124 4.1
1986	357 11.9	128 4.3

The Court of Special Appeals

The Court of Special Appeals Judicial Map and Members

as of September 1, 1987



Hon. Richard P. Gilbert, CJ (6)
Hon. Charles E. Moylan, Jr. (At large)
Hon. Alan M. Wilner (At large)
Hon. Edward O. Weant, Jr. (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)
Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. Robert L. Karwacki (At large)
Hon. Robert M. Bell (6)
Hon. William W. Wenner (3)
Hon. Richard M. Pollitt (1)

The Court of Special Appeals

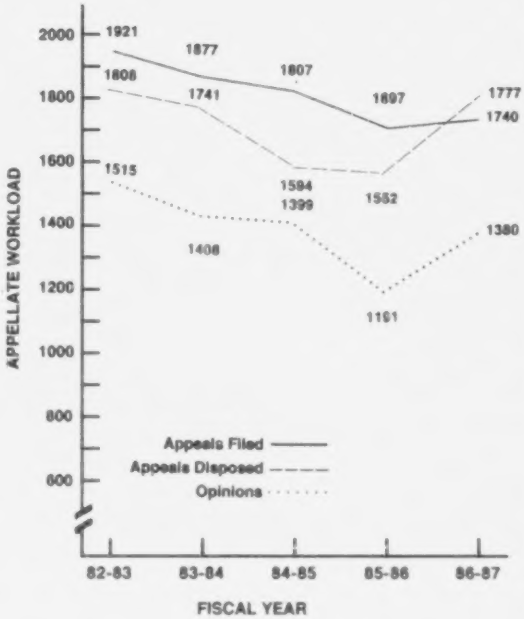
The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, a chief judge and twelve associates. One member of the court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

TABLE CSA-1

COURT OF SPECIAL APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



Filings

The September 1986 Term docket formed the major portion of the incoming workload of the Court of Special Appeals for Fiscal Year 1987. As in the Court of Appeals, filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In the *Annual Report*, filings are counted by Term, March 1 through February 28, and dispositions are counted by fiscal year, July 1 through June 30.

During the September 1986 Term, the Court of Special Appeals received 1,714 filings on its regular docket, an increase of 4.3 percent over the 1,644 filings reported during the previous term. Civil cases comprised 51.3 percent (879) of the total filings while the remaining 48.7 percent (835) were criminal in nature (Table CSA-2). The increase in overall filings can be mostly attributed to the increase in criminal filings (7.2 percent). Over the past several years, the number of criminal filings showed a general decrease after the adoption of § 12-302 of the Courts Article and Maryland Rule 1096 which became effective July 1, 1983. Under these provisions, the right of direct appeal was removed in criminal cases, where a guilty plea was entered. In those instances, an application for leave to appeal must be filed and it is at the discretion of the Court whether or not to place the case on the regular docket (Table CSA-5). While it is true that during the 1986 Term the number of criminal cases has increased slightly, it has not reached the same level of the September Term, 1982—the year before automatic review of guilty pleas was changed.

In the civil area, the Court of Special Appeals has used the procedure of prehearing conferences to identify cases it feels are suitable for resolution by the parties. An information report, which is a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal has been noted. There were 1,062 information reports received during the September 1986 Term, a decrease of 1.8 percent from the 1985 Term. Of the 1,062 reports received, 531 (50 percent) were assigned for prehearing conferences compared to 62 percent and 41 percent assigned during the 1985 and 1984 Terms, respectively (Table CSA-3). Of the cases assigned to conference, 22 percent (116) were dismissed or settled before, at or as a result of the conference during the 1986 Term. Ten percent (50) were dismissed or remanded after the prehearing conferences which likely occurred as a result of the conference. Four percent (23) of the cases proceeded with their appeals expedited while one percent (6) of the cases had their issues limited at or as a result of the conferences. Three percent (18) of the cases were pending at the end of the term awaiting prehearing conferences (Table CSA-4).

A majority of the appeals docketed in the Court of Special Appeals were from Baltimore City, 27.4 percent (469). The four largest counties contributed 48.3 percent (828) of the total appeals docketed on the regular docket during the 1986 Term. Montgomery County contributed the greatest number with 15.5 percent (265) followed by Baltimore County with 12.6 percent (216). Prince George's and Anne Arundel Counties contributed 12.2 percent (209) and 8.1 percent (138), respectively (Table CSA-7). In terms of circuit distribution, appeals ranged from 8.4 percent in the First Appellate Circuit (all of the counties on the Eastern Shore) to 27.4 percent in the Sixth Appellate Circuit which is comprised of only Baltimore City (Table CSA-8). The ratio of appeals in the Court of Special Appeals to trials in the circuit courts was 0.14 which means that 14 percent of the trials conducted in the circuit courts during Fiscal 1986 were docketed on the regular docket in the Court of Special Appeals during the 1986 Term. That figure is relatively consistent with the previous year ratio of 15 percent.

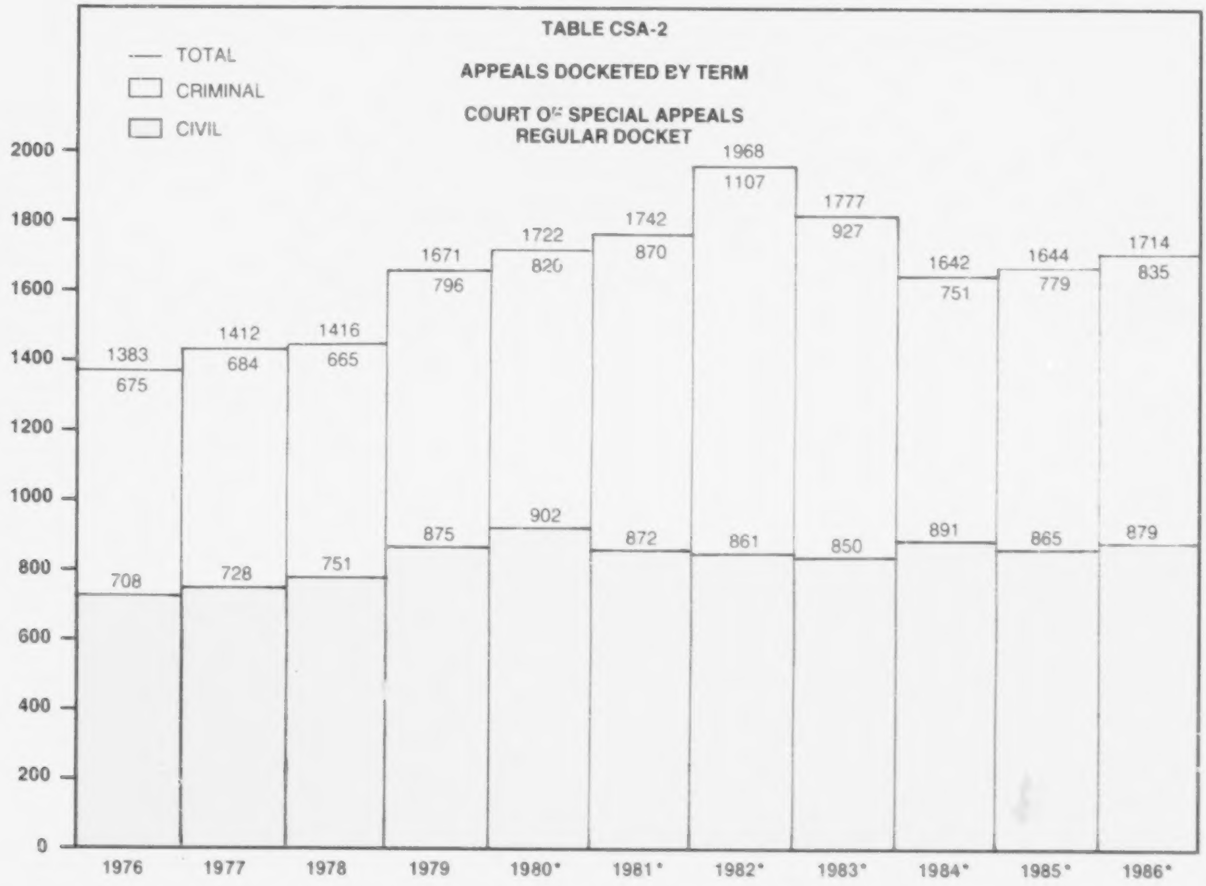


TABLE CSA-2

APPEALS DOCKETED BY TERM

COURT OF SPECIAL APPEALS
REGULAR DOCKET

*Does not include civil notices of appeal which were filed in the Clerk's Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024 a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-3

PREHEARING CONFERENCE REPORTS COURT OF SPECIAL APPEALS

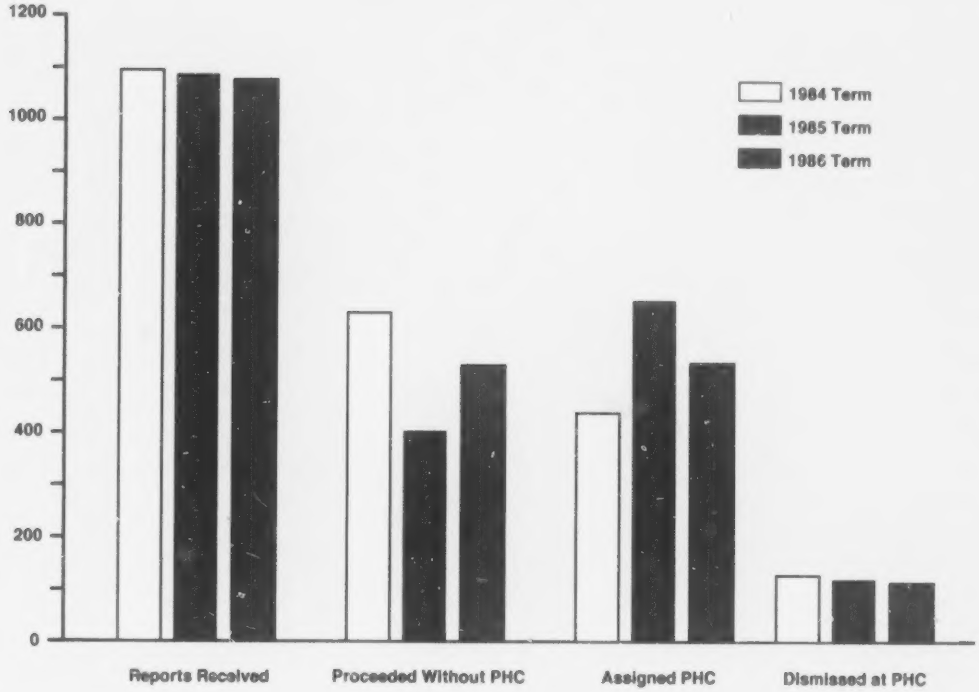
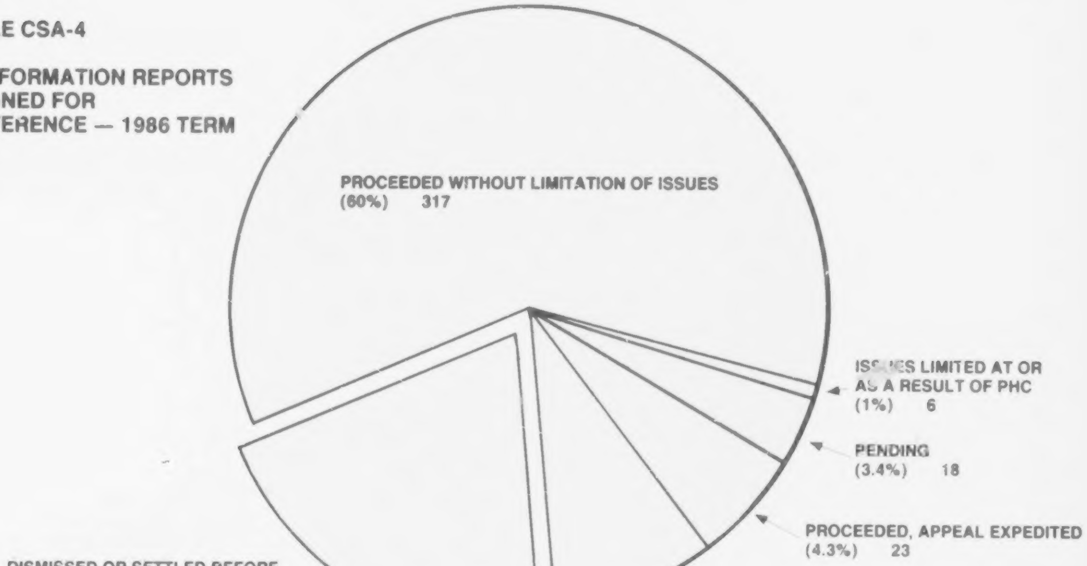


TABLE CSA-4

DISPOSITION OF INFORMATION REPORTS ASSIGNED FOR PREHEARING CONFERENCE — 1986 TERM



Dispositions

During Fiscal Year 1987, the Court of Special Appeals disposed of 1,777 cases, an increase of 14.5 percent over Fiscal 1986. Of that amount, there were 160 cases from the 1985 Docket; 1,535 cases from the 1986 Docket; and 82 cases were from the 1987 Docket. Approximately 49.2 percent (874) of disposed cases were civil, 47.3 percent (840) were criminal, and the remaining 3.5 percent (63) were juvenile in nature (Table CSA-10).

Affirmances of the lower court accounted for over 55 percent of the decisions handed down by the Court during Fiscal 1987. Criminal cases accounted for the greatest number of affirmed cases, 577 (58.9 percent), followed by civil cases, 373 (38.1 percent), and juvenile cases with 29 or 3 percent of the affirmances. The highest rate of affirmed cases was also criminal in nature—577 out of 840 (68.7 percent). Juvenile cases had the next highest rate with 46 percent of its cases being affirmed (29 out of 63 cases) followed by civil cases with a rate of 42.7 percent or 373/874 cases. There were also 97 cases that were affirmed in part and reversed in part while 342 cases were dismissed prior to argument or submission. Table CSA-10 provides a further breakdown of case dispositions.

The Court also disposed of 294 cases on its miscellaneous docket including: 196 post conviction cases; nine inmate grievance cases; and 89 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal and appeals from criminal guilty pleas. The Court granted 20 applications for leave to appeal of which 13 were post conviction cases. It also denied 237 applications and remanded four. The remaining 33 applications were either dismissed or transferred. Table CSA-5 provides further information on the miscellaneous docket.

During Fiscal Year 1987, it took an average of 4.2 months from docketing to argument (or to disposition without argument) and one month from argument to decision in the Court of Special Appeals (Table CSA-11). The average time from the original filing to disposition in the lower court was 12.5 months, while the time period from disposition in the circuit court to docketing in the Court of Special Appeals was 3.8 months. Both time intervals represent decreases from the past few years (Table CSA-12). Overall, it took an average of 21.5 months from the original filing of a case in the circuit court to its disposition in the Court of Special Appeals.

There were 1,357 majority opinions filed during Fiscal 1987 of which 233 were reported and 1,124 were unreported. There were also 19 dissenting opinions filed and four concurring opinions filed.

TABLE CSA-5

DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL AND OTHER MISCELLANEOUS CASES

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	13	18	161	4	196
Inmate Grievance	1	1	7	0	9
Other Miscellaneous*	6	14	69	0	89
TOTALS	**20**	**33**	**237**	**4**	**294**

*Includes habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

Pending

At the close of Fiscal Year 1987, there were 632 cases pending in the Court of Special Appeals on its regular docket. That figure included one case from the 1985 Docket, 109 cases from the 1986 Docket, and 522 cases from the 1987 Docket. The cases pending from the 1986 Docket were generally argued at the end of Fiscal 1987 and were awaiting opinions, while those pending from the 1987 Docket were being scheduled for argument during the current term (Table CSA-6).

TABLE CSA-6

PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1987

	Civil	Juvenile	Criminal	Total
Origin				
1985 Docket	1	0	0	1
1986 Docket	50	2	57	109
1987 Docket	225	16	281	522
Total Cases Pending at Close of Fiscal 1987	276	18	338	632

Trends

The workload of the Court of Special Appeals continues to experience increases both in the criminal and civil areas. There was a dramatic increase from the 1979 Term when there were 1,671 appeals docketed to the 1982 Term when 1,968 appeals were docketed. The increase was directly attributable to the increase in criminal filings which rose over 66 percent between the 1978 (665 criminal appeals) and 1982 (1,107 criminal appeals) Terms (Table CSA-2). The number of appeals did not show a decrease until the 1983 Term when 1,777 appeals, of which 927 were criminal, were docketed. It appeared that the number of criminal appeals had stabilized during the 1984 and 1985 Terms when there were 751 and 779 criminal appeals, respectively, reported. However, during the 1986 Term, the number of criminal appeals (835) increased by 7.2 percent, thus attributing to the overall increase in regular docket appeals. It now seems as though criminal appeals may be on the climb once more.

The initial decrease in criminal filings was attributable to a law enacted in 1983 (Chapter 295 of the 1983 Acts), which allows cases involving a review of judgment following a plea of guilty to be treated as a discretionary appeal rather than an appeal as a matter of right. Individuals appealing from a guilty plea must first file an application for leave to appeal. If granted, the appeal is transferred to the regular docket. Although this process helped to control the number of regular docket appeals, it resulted in the initial increase in the number of applications for leave to appeal. There were 128 applications for leave to appeal and other miscellaneous appeals disposed of by the Court during Fiscal 1983 compared to 308 during Fiscal 1984. Like the criminal appeals, the number of applications for leave to appeal appeared to have stabilized during Fiscal Years 1985 and 1986 when 192 and 185 applications were disposed of. However, during Fiscal 1987, the number of applications disposed of (294) was back to the Fiscal 1984 level.

In an effort to keep current with its expanding workload, the Court has continued several innovative programs. There was an expedited appeal process initiated to aid the Court and the litigants in identifying and processing cases in a more rapid manner (see Maryland Rule 1029). The Court of Special Appeals has also continued to use the prehearing conference procedure in an attempt to curtail the number of civil cases. The primary objective is to either settle the cases or limit the issues prior to final preparation of the case on appeal. This technique appears to have been very effective.

If the current trend continues, the Court of Special Appeals may anticipate an increase in the number of criminal filings and overall filings. An increase of filings on the miscellaneous docket and applications for leave to appeal also appears likely.

TABLE CSA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF SPECIAL APPEALS

Regular Docket

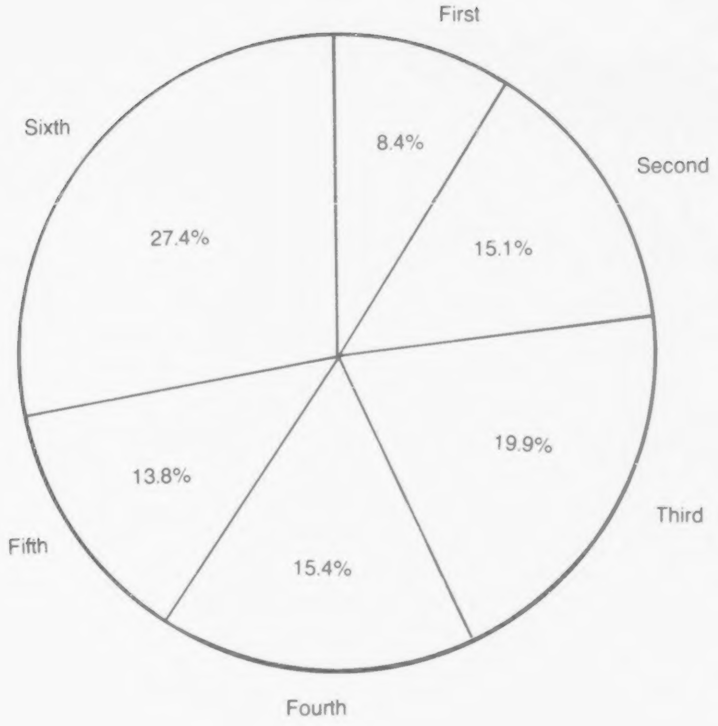
1986 Term

FIRST APPELLATE CIRCUIT		**144**
Caroline County	10	
Cecil County	34	
Dorchester County	10	
Kent County	15	
Queen Anne's County	6	
Somerset County	9	
Talbot County	10	
Wicomico County	23	
Worcester County	27	
SECOND APPELLATE CIRCUIT		**258**
Baltimore County	216	
Harford County	42	
THIRD APPELLATE CIRCUIT		**342**
Allegany County	19	
Frederick County	13	
Garrett County	8	
Montgomery County	265	
Washington County	37	
FOURTH APPELLATE CIRCUIT		**264**
Calvert County	24	
Charles County	20	
Prince George's County	209	
St. Mary's County	11	
FIFTH APPELLATE CIRCUIT		**237**
Anne Arundel County	138	
Carroll County	36	
Howard County	63	
SIXTH APPELLATE CIRCUIT		**469**
Baltimore City	469	
TOTAL		**1,714**

TABLE CSA-8

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS COURT OF SPECIAL APPEALS

1986 TERM
REGULAR DOCKET



First Appellate Circuit—144 or 8.4%
Second Appellate Circuit—258 or 15.1%
Third Appellate Circuit—342 or 19.9%
Fourth Appellate Circuit—264 or 15.4%
Fifth Appellate Circuit—237 or 13.8%
Sixth Appellate Circuit—469 or 27.4%
Total—State—1,714 or 100%

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1986 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL 1986

Jurisdiction	Court of Special Appeals 1986 Regular Docket	Circuit Court Fiscal 1986 Trials	Ratio of Appeals to Trials
Kent County	15	12	1.25
Baltimore County	216	669	.32
Montgomery County	265	1,074	.25
Baltimore City	469	2,001	.23
St. Mary's County	11	53	.21
Washington County	37	175	.21
Talbot County	10	63	.16
Anne Arundel County	138	894	.15
Somerset County	9	63	.14
Howard County	63	508	.12
Calvert County	24	193	.12
Carroll County	36	289	.12
Prince George's County	209	2,691	.08
Worcester County	27	321	.08
Wicomico County	23	303	.08
Cecil County	34	449	.08
Harford County	42	557	.08
Allegany County	19	224	.08
Queen Anne's County	6	73	.08
Garrett County	8	107	.07
Caroline County	10	136	.07
Dorchester County	10	137	.07
Charles County	20	520	.04
Frederick County	13	469	.03
TOTAL	**1,714**	**11,981**	**.14**

TABLE CSA-10

CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Civil	Juvenile	Criminal	Total
Affirmed	373	29	577	979
Reversed	118	6	67	191
Dismissed—Opinion Filed	43	1	4	48
Dismissed Without Opinion	5	0	1	6
Remanded Without Affirmance or Reversal	8	4	5	17
Vacated and Remanded	26	0	11	37
Affirmed in Part, Reversed in Part	34	4	59	97
Dismissed Prior to Argument or Submission	217	14	111	342
Transferred to Court of Appeals	50	5	5	60
Origin				
1985 Docket	76	4	80	160
1986 Docket	734	58	743	1,535
1987 Docket	64	1	17	82
Total Cases Disposed During Fiscal 1987	**874**	**63**	**840**	**1,777**

TABLE CSA-11

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Docketing to Argument or to Disposition Without Argument[a]	Argument to Decision[b]
Days	127.1	30.6
Months	4.2	1.0
Number of Cases	1,777	1,362

[a] Includes all cases disposed in Fiscal 1987.
[b] Includes all cases disposed in Fiscal 1987 which were argued.

TABLE CSA-12

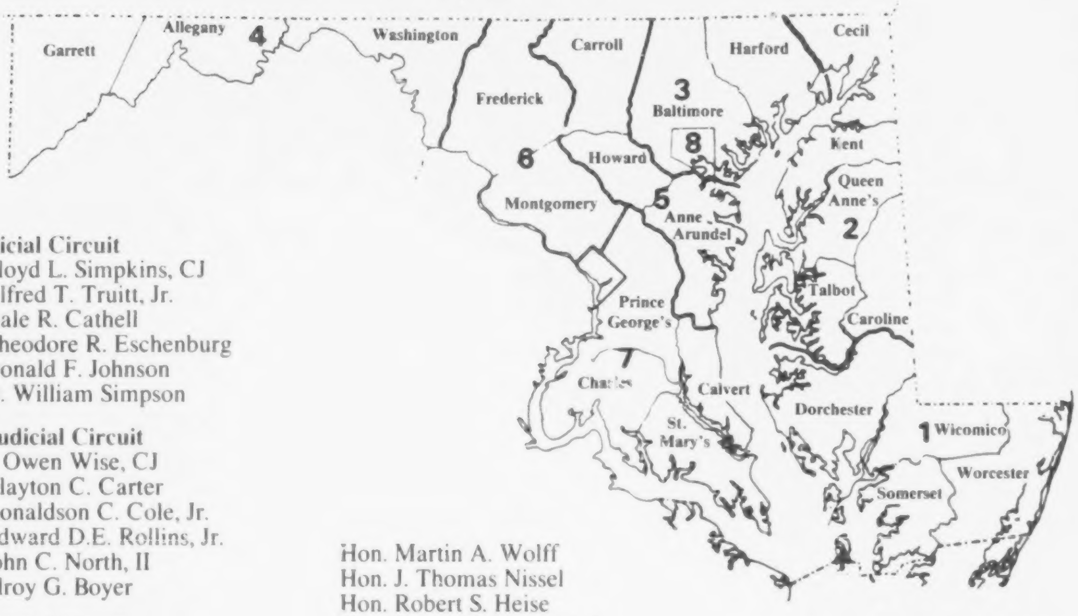
FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1982	349 11.6	126 4.2
1983	392 13.1	115 3.8
1984	402 13.4	126 4.2
1985	389 13.0	121 4.0
1986	375 12.5	115 3.8

The Circuit Courts

The Circuit Courts — Judiciary Map and Members
as of September 1, 1987



First Judicial Circuit
*Hon. Lloyd L. Simpkins, CJ
Hon. Alfred T. Truitt, Jr.
Hon. Dale R. Cathell
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson

Second Judicial Circuit
*Hon. J. Owen Wise, CJ
Hon. Clayton C. Carter
Hon. Donaldson C. Cole, Jr.
Hon. Edward D.E. Rollins, Jr.
Hon. John C. North, II
Hon. Elroy G. Boyer

Third Judicial Circuit
*Hon. Frank E. Cicone, CJ
Hon. Edward A. DeWaters, Jr.
Hon. William R. Buchanan, Sr.
Hon. Brodnax Cameron, Jr.
Hon. James S. Sfekas
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. A. Owen Hennegan
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. William M. Nickerson
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.

Fourth Judicial Circuit
Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit
Hon. Morris Turk, CJ
Hon. Bruce C. Williams
*Hon. Raymond G. Thieme, Jr.
Hon. Robert F. Fischer
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. Robert S. Heise
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Vacancy

Sixth Judicial Circuit
*Hon. John J. Mitchell, CJ
Hon. Richard B. Latham
Hon. Stanley B. Frosh
Hon. William M. Cave
Hon. Calvin R. Sanders
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein

Seventh Judicial Circuit
*Hon. Ernest A. Loveless, Jr., CJ
Hon. Perry G. Bowen, Jr.
Hon. William H. McCullough
Hon. James H. Taylor
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Howard S. Chasanow
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Vacancy

Eighth Judicial Circuit
Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
Hon. Marshall A. Levin
Hon. Mary Arabian
Hon. Martin B. Greenfeld
*Hon. Joseph H.H. Kaplan
Hon. Edgar P. Silver
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Thomas Ward
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller

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*Circuit Administrative Judge

The Circuit Courts

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits contains two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1986, there were 109 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

Circuit court filings increased by 4.1 percent during Fiscal Year 1987. There were 197,625 total filings reported for Fiscal 1987 compared to 189,899 in Fiscal 1986 (Table CC-2). The greatest increase was reported in criminal cases which increased by 13.5 percent, followed by juvenile causes, increasing by 4.8 percent (Tables CC-23 and CC-27). The only decrease was reported in civil filings, 0.5 percent (Table CC-19).

Civil case filings represented the highest percentage of cases filed during Fiscal 1987—53.7 percent (Table CC-7). The five major jurisdictions accounted for the majority of the civil filings with 73.7 percent. Baltimore City contributed the greatest percent with 21.9 percent (23,282), followed by Prince George's and Montgomery Counties with 19.6 percent (20,817) and 11.9 percent (12,670), respectively. Baltimore County reported 11.0 percent (11,633) while Anne Arundel reported 9.3 percent (9,835). The remaining 19 counties reported 26.3 percent (27,956) of the civil filings (Table CC-19). That figure represents an increase of 4.1 percent over Fiscal 1986. The most significant changes, with respect to case type, were increases in the contract and contested confessed judgment categories and decreases in the de novo appeals from the District Court.

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 179 hearings and signed 2,532 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 10 hearings and signed 478 orders.

Unlike civil filings, criminal case filings reported an increase of 13.5 percent in Fiscal 1987 over the previous year. There were 48,660 criminal filings reported in Fiscal 1986 compared to 55,247 in Fiscal 1987 (Table CC-23). Criminal case filings represented 28 percent of the total filings reported. As shown on Table CC-5, jury trial prayer requests increased by 21.3 percent, contributing to the overall increase in criminal filings. Jury trial prayer requests rose from 23,284 in Fiscal 1986 to 28,244 in Fiscal 1987. Also contributing to the increase in criminal case filings were increases in the indictment/information category and motor vehicle appeals from the District Court which increased by 13.7 percent and 18.7 percent, respectively. Baltimore City and the other four major jurisdictions continue to contribute the greatest number of criminal filings with 42,014 or 76 percent (Table CC-23). The greatest number of cases came from Baltimore City with 16,151 followed by Baltimore County, 8,717, and Prince George's County with 7,559 criminal cases. Montgomery County reported 6,207 criminal case filings while Anne Arundel recorded 3,380 criminal cases. All five major jurisdictions indicated a record number of criminal filings in Fiscal 1987.

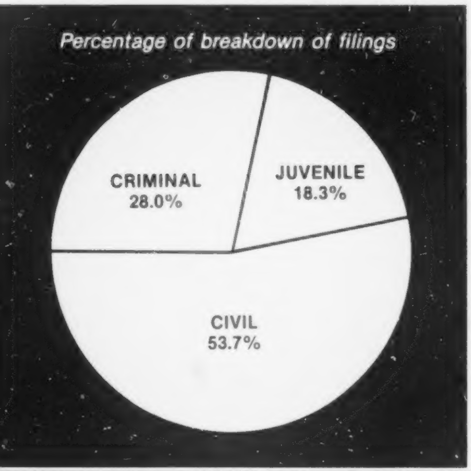
Also increasing during the fiscal year were juvenile matters. There were 34,523 juvenile filings reported in Fiscal 1986 compared to 36,185 in Fiscal 1987, an increase of 4.8 percent. Overall, juvenile filings represented 18.3 percent of the circuit court filings reported during Fiscal 1987 (Table CC-7). A significant percent of the juvenile cases filed, 83.6 percent (80,247), came from Baltimore City and the four largest jurisdictions. Baltimore City contributed the greatest amount with 35.6 percent (12,869), followed by Prince George's County—17 percent (6,149). Seventy-six percent of all juvenile filings were delinquency cases (Table CC-8).

TABLE CC-1

CIRCUIT COURT—FILINGS BY FISCAL YEAR

	1982-83	1983-84	1984-85	1985-86	1986-87
Filings	155,278	165,169	175,785	189,899	197,625
Terminations	129,198	150,913	155,397	159,559	164,668

Includes Montgomery County Juvenile Causes


Percentage of breakdown of filings

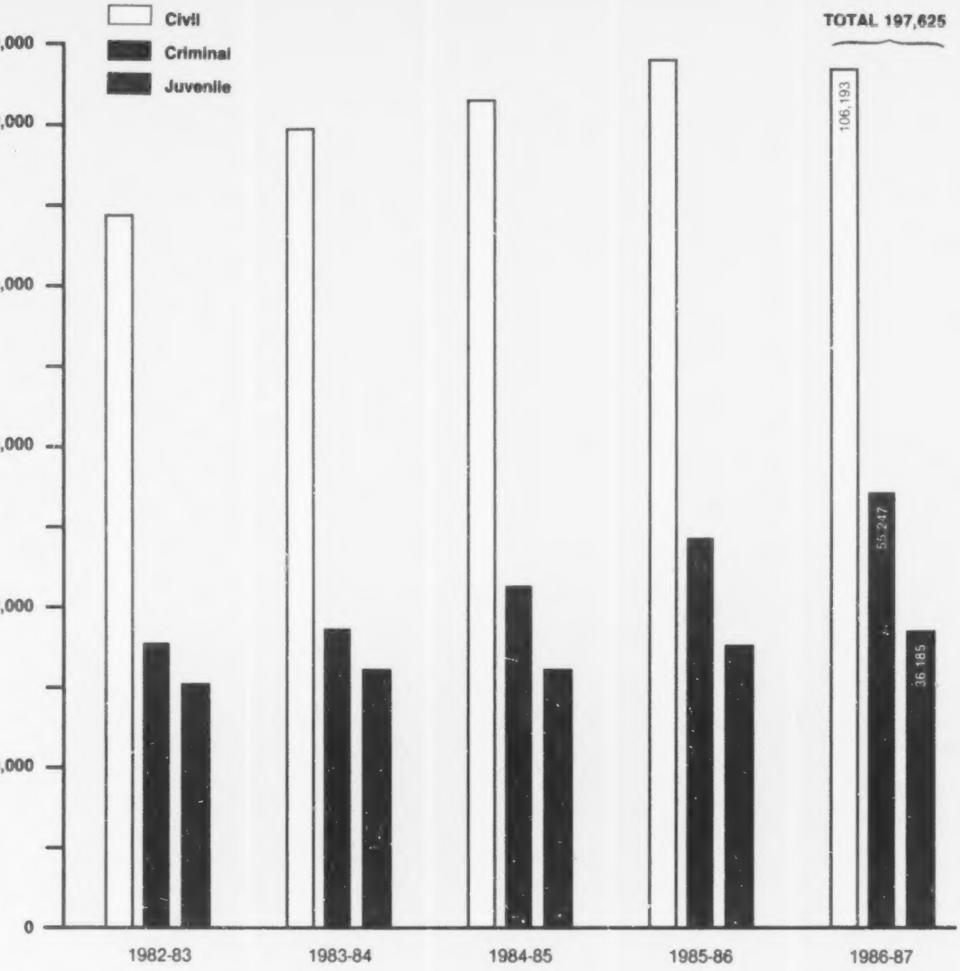


TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE ALL CASES FILINGS AND TERMINATIONS

FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**6,198**	**5,803**	**6,398**	**6,201**	**6,366**	**5,899**	**7,552**	**7,205**	**7,670**	**7,313**
Dorchester	1,156	988	1,305	1,204	1,480	1,408	1,837	1,960	1,865	1,722
Somerset	675	488	800	799	759	688	940	898	1,021	951
Wicomico	2,669	2,661	2,583	2,573	2,245	2,171	2,644	2,375	2,604	2,528
Worcester	1,698	1,666	1,710	1,625	1,882	1,632	2,131	1,972	2,180	2,112
SECOND CIRCUIT	**5,602**	**5,534**	**5,369**	**5,081**	**5,625**	**5,368**	**5,891**	**5,348**	**6,259**	**5,533**
Caroline	750	713	687	683	897	747	977	986	1,016	836
Cecil	2,311	2,367	2,356	2,133	2,484	2,435	2,376	2,121	2,549	2,245
Kent	430	402	388	365	372	402	551	427	668	648
Queen Anne's	1,054	1,049	991	937	939	977	944	909	951	898
Talbot	1,057	1,003	947	963	933	807	1,043	905	1,075	906
THIRD CIRCUIT	**22,281**	**21,032**	**22,931**	**21,102**	**25,144**	**21,298**	**28,487**	**23,661**	**29,792**	**25,179**
Baltimore	18,341	18,038	18,352	17,526	20,176	17,515	23,137	19,543	24,325	20,603
Harford	3,940	2,994	4,579	2,576	4,968	3,783	5,350	4,118	5,467	4,576
FOURTH CIRCUIT	**5,130**	**4,932**	**5,378**	**4,970**	**5,947**	**5,578**	**6,645**	**5,791**	**6,679**	**5,704**
Allegany	1,577	1,658	1,544	1,232	1,702	1,564	1,935	1,553	1,828	1,392
Garrett	724	757	701	761	718	698	684	692	747	745
Washington	2,829	2,517	3,133	2,977	3,527	3,316	4,026	3,546	4,104	3,567
FIFTH CIRCUIT	**19,906**	**16,318**	**23,727**	**21,959**	**26,037**	**23,322**	**26,681**	**22,005**	**25,329**	**23,393**
Anne Arundel	13,198	10,135	16,501	15,265	18,250	15,837	18,257	14,469	16,723	15,618
Carroll	3,190	2,929	3,434	3,091	3,543	3,356	3,603	3,327	3,757	3,314
Howard	3,518	3,254	3,792	3,603	4,244	4,129	4,821	4,209	4,849	4,461
SIXTH CIRCUIT	**20,782**	**17,495**	**22,596**	**20,320**	**23,472**	**21,871**	**24,526**	**20,887**	**26,011**	**18,601**
Frederick	2,357	2,537	2,574	2,371	2,718	2,699	3,163	2,802	3,388	2,841
Montgomery*	18,425	14,958	20,022	17,949	20,754	19,172	21,363	18,085	22,623	15,760
SEVENTH CIRCUIT	**32,485**	**28,523**	**35,561**	**36,099**	**36,066**	**30,834**	**39,422**	**33,191**	43,583	40,649
Calvert	1,156	1,130	1,317	1,134	1,467	1,335	1,585	1,582	1,536	1,488
Charles	3,126	2,919	3,010	2,768	3,195	3,040	3,804	3,549	4,710	4,124
Prince George's	26,551	22,838	29,653	30,727	29,916	25,100	32,542	26,660	34,525	32,711
St. Mary's	1,652	1,636	1,581	1,470	1,488	1,359	1,491	1,400	2,812	2,326
EIGHTH CIRCUIT	**39,557**	**26,911**	**40,121**	**32,333**	**47,128**	**41,227**	**50,695**	**41,471**	**52,302**	**38,296**
Baltimore City	39,557	26,911	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296
STATE	**151,941**	**126,548**	**162,081**	**148,065**	**175,785**	**155,397**	**189,899**	**159,559**	**197,625**	**164,668**

*Includes juvenile causes processed at the District Court level.

TABLE CC-3

TERMINATIONS AS A PERCENTAGE OF FILINGS IN THE CIRCUIT COURTS

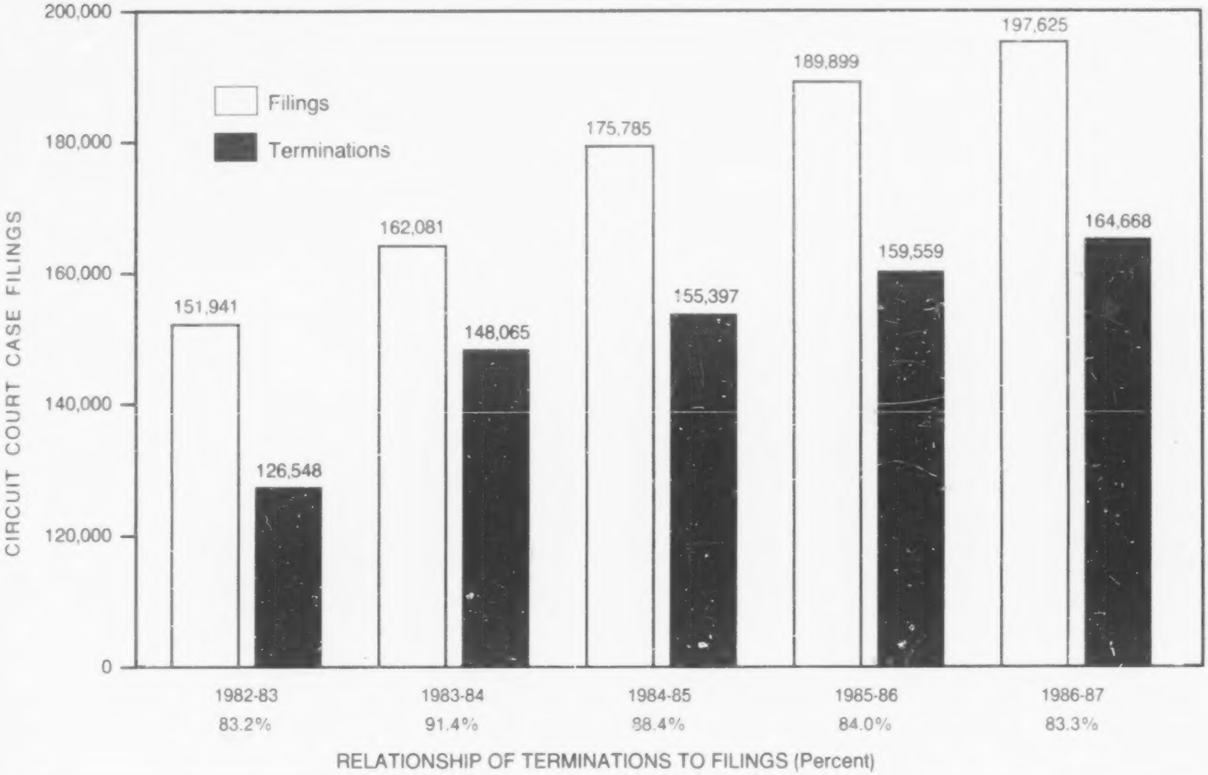


TABLE CC-4

CASES TRIED BY MAJOR JURISDICTION

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	**9,059**	**1,092**	**7,967**	**5,237**	**2,730**
Court Trial	7,849	955	6,894	4,457	2,437
Jury Trial	1,210	137	1,073	780	293
CRIMINAL	**3,944**	**763**	**3,181**	**1,467**	**1,714**
Court Trial	2,342	394	1,948	767	1,181
Jury Trial	1,602	369	1,233	700	533

Terminations

Following the trend of circuit court filings, terminations also increased during Fiscal 1987. There were 159,559 terminations in Fiscal 1986 compared to 164,668 in Fiscal 1987, an increase of 3.2 percent. Increases were reported in all three categories—civil, criminal, and juvenile.

During Fiscal 1987, the ratio of terminations as a percentage of filings decreased slightly, from 84 percent in Fiscal 1986 to the present level of 83.3 percent. A certain portion of this ratio appears disproportionate due to the fact that some filings are actually inactive cases that have yet to be terminated.

Civil terminations increased by a slight margin, 1.5 percent, from 83,646 in Fiscal 1986 to 84,894 in Fiscal 1987. That was the first increase in civil terminations since Fiscal 1984. Criminal and juvenile terminations also increased during Fiscal 1987, 4.4 percent and 6.0 percent. In the juvenile area, the greatest increase was reported in C.I.N.A. cases (14 percent) while criminal jury trial prayers reported the greatest increase under the criminal category. The latter increased by 12.1 percent in Fiscal 1987 (Table CC-9). Of the major jurisdictions, Montgomery County and Baltimore City were the only two major jurisdictions to report decreases in criminal terminations—31.6 percent and 5.5 percent. Baltimore, Anne Arundel, and Prince George's Counties all reported increases—19.8 percent, 12.2 percent, and 6.9 percent, respectively (Table CC-23). Also, Montgomery County was the only major jurisdiction to report a decline in the number of juvenile terminations.

Pending

There were 224,969 cases pending at the close of Fiscal 1987, an increase of 14.4 percent over Fiscal 1986. Included in that figure were 163,262 civil cases; 42,408 criminal cases; and 19,299 juvenile cases including 1,540 juvenile causes from Montgomery County (Table CC-6.9). Those figures compare to 196,589 cases pending at the close of Fiscal 1986 of which 146,106 were civil; 32,239 were criminal; and 18,244 were juvenile including 1,097 juvenile causes from Montgomery County. The five major jurisdictions, led by Baltimore City with 97,273 pending cases, contributed the majority of the cases with 84.8 percent.

Court Trials, Jury Trials, and Hearings

During Fiscal 1987, the circuit courts conducted over 200,000 proceedings, an increase of more than 9 percent over Fiscal 1986. Included in that figure were 44,802 civil hearings; 80,662 criminal hearings; 64,894 juvenile hearings; 10,191 court trials; and 2,812 jury trials. Approximately 57 percent of the jury trials held were criminal in nature while the remaining 43 percent were civil. In contrast, a greater percentage of the court trials held were civil, 77 percent (Table CC-10).

Elapsed Time of Case Dispositions

The average time period from the filing of an original case to its disposition in Fiscal 1987 rose for civil and criminal cases while it remained constant for juvenile cases (Table CC-12). When the older, inactive cases, which constitute approximately 5 percent of the total cases, are excluded the average time to dispose of a civil case was 214 days in Fiscal 1987 compared to 204 in Fiscal 1986 and 200 in Fiscal 1985. Criminal cases averaged 112 days from filing to disposition in Fiscal 1987, 106 days in Fiscal 1986, and 111 days in Fiscal 1985. The average time to dispose of juvenile cases, which has remained relatively constant over the last three years, was 66 days in both Fiscal 1986 and Fiscal 1987 and 64 days in Fiscal 1985.

Trends

Circuit court filings have increased steadily over the past five years; however, Fiscal 1987 was the first time in five years the increase was less than 10,000 additional filings. Also, this was the first time in five years that all three functional areas did not report an increase. Civil filings decreased by a very slight 0.5 percent while criminal and juvenile filings increased by 13.5 percent and 4.8 percent, respectively, over Fiscal 1986. Overall, filings increased by 4.1 percent, from 189,899 in Fiscal 1986 to 197,625 in Fiscal 1987.

While contract, contested confessed judgment, and C.I.N.A. cases reported the greatest increases in the civil and juvenile areas, criminal and motor vehicle jury trial prayers from the District Court continue to contribute the greatest to the overall increase in criminal filings. The District Court does not conduct jury trials; therefore, all cases where a defendant is entitled to and requests a jury trial have to be heard in the circuit courts. Although the General Assembly passed a law in 1981 known as the Gerstung law intended to reduce the number of jury trial prayers from the District Court, the number of jury trial prayers has more than doubled since then. There was an initial decrease of 49.2 percent in the year following the passage of the law; however, requests for jury trials have increased each year since the Court of Appeals has ruled part of that law unconstitutional. Currently, there were 28,244 jury trial requested cases filed in the circuit court. This represents over 50 percent of all criminal filings reported for Fiscal 1987. Very few of these cases actually result in a jury trial in the circuit court. It has been estimated that in most jurisdictions in Maryland, jury trials occur in less than two percent of the cases. Most often, a good number of these cases are plea bargained at the last moment in the circuit court, causing further delay and scheduling problems. Dealing with the large number of jury trial prayers from the District Court will continue to be one of the most important issues facing the circuit courts in the years ahead.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre-Ch. 608	Post-Ch. 608					
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698
Anne Arundel County	503	381	392	459	720	922	1,066
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569
Total	**12,290**	**6,248**	**9,761**	**13,193**	**19,180**	**23,284**	**28,244**

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6.1

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIRST JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	**3,219**	**7,670**	**7,404**	**266**	**7,313**	**7,067**	**246**	**3,576**
Civil	2,209	4,550	4,421	129	4,342	4,238	104	2,417
Criminal	906	2,498	2,361	137	2,363	2,221	142	1,041
Juvenile	104	622	622	—	608	608	—	118
DORCHESTER COUNTY	**601**	**1,865**	**1,776**	**89**	**1,722**	**1,656**	**66**	**744**
Civil	427	1,398	1,336	62	1,271	1,232	39	554
Criminal	164	310	283	27	305	278	27	169
Juvenile	10	157	157	—	146	146	—	21
SOMERSET COUNTY	**413**	**1,021**	**996**	**25**	**951**	**920**	**31**	**483**
Civil	290	700	688	12	654	640	14	336
Criminal	108	228	215	13	211	194	17	125
Juvenile	15	93	93	—	86	86	—	22
WICOMICO COUNTY	**1,096**	**2,604**	**2,532**	**72**	**2,528**	**2,464**	**64**	**1,172**
Civil	778	1,358	1,328	30	1,310	1,287	23	826
Criminal	300	1,050	1,008	42	1,031	990	41	319
Juvenile	18	196	196	—	187	187	—	27
WORCESTER COUNTY	**1,109**	**2,180**	**2,100**	**80**	**2,112**	**2,027**	**85**	**1,177**
Civil	714	1,094	1,069	25	1,107	1,079	28	701
Criminal	334	910	855	55	816	759	57	428
Juvenile	61	176	176	—	189	189	—	48

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-6.1 through Table CC-6.9.

TABLE CC-6.2

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	**2,799**	**6,259**	**5,986**	**273**	**5,533**	**5,271**	**262**	**3,525**
Civil	1,844	3,917	3,825	92	3,441	3,342	99	2,320
Criminal	819	1,568	1,387	181	1,335	1,172	163	1,052
Juvenile	136	774	774	—	757	757	—	153
CAROLINE COUNTY	**367**	**1,016**	**990**	**26**	**836**	**811**	**25**	**547**
Civil	256	656	649	7	547	540	7	365
Criminal	90	281	262	19	210	192	18	161
Juvenile	21	79	79	—	79	79	—	21
CECIL COUNTY	**1,274**	**2,549**	**2,415**	**134**	**2,245**	**2,125**	**120**	**1,578**
Civil	802	1,626	1,579	47	1,428	1,382	46	1,000
Criminal	395	582	495	87	471	397	74	506
Juvenile	77	341	341	—	346	346	—	72
KENT COUNTY	**279**	**668**	**646**	**22**	**648**	**625**	**23**	**299**
Civil	207	451	444	7	445	434	11	213
Criminal	67	169	154	15	158	146	12	78
Juvenile	5	48	48	—	45	45	—	8
QUEEN ANNE'S COUNTY	**362**	**951**	**906**	**45**	**898**	**852**	**46**	**415**
Civil	256	563	548	15	562	542	20	257
Criminal	96	261	231	30	220	194	26	137
Juvenile	10	127	127	—	116	116	—	21
TALBOT COUNTY	**517**	**1,075**	**1,029**	**46**	**906**	**858**	**48**	**686**
Civil	323	621	605	16	459	444	15	485
Criminal	171	275	245	30	276	243	33	170
Juvenile	23	179	179	—	171	171	—	31

NOTE: See note on Table CC-6.1.

TABLE CC-6.3

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	**27,555**	**29,792**	**28,072**	**1,720**	**25,179**	**23,683**	**1,496**	**32,168**
Civil	18,682	14,547	13,831	716	12,061	11,373	688	21,168
Criminal	7,557	10,573	9,569	1,004	8,619	7,811	808	9,511
Juvenile	1,316	4,672	4,672	—	4,499	4,499	—	1,489
BALTIMORE COUNTY	**19,892**	**24,325**	**22,841**	**1,484**	**20,603**	**19,321**	**1,282**	**23,614**
Civil	13,350	11,633	11,044	589	9,640	9,065	575	15,343
Criminal	6,190	8,717	7,822	895	7,099	6,392	707	7,808
Juvenile	352	3,975	3,975	—	3,864	3,864	—	463
HARFORD COUNTY	**7,663**	**5,467**	**5,231**	**236**	**4,576**	**4,362**	**214**	**8,554**
Civil	5,332	2,914	2,787	127	2,421	2,308	113	5,825
Criminal	1,367	1,856	1,747	109	1,520	1,419	101	1,703
Juvenile	964	697	697	—	635	635	—	1,026

NOTE: See note on Table CC-6.1.

TABLE CC-6.4

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FOURTH CIRCUIT	**4,106**	**6,679**	**6,411**	**268**	**5,704**	**5,482**	**222**	**5,081**
Civil	3,340	4,381	4,249	132	3,558	3,455	103	4,163
Criminal	611	1,299	1,163	136	1,136	1,017	119	774
Juvenile	155	999	999	—	1,010	1,010	—	144
ALLEGANY COUNTY	**1,768**	**1,828**	**1,722**	**106**	**1,392**	**1,305**	**87**	**2,204**
Civil	1,489	1,221	1,159	62	774	731	43	1,936
Criminal	215	341	297	44	323	279	44	233
Juvenile	64	266	266	—	295	295	—	35
GARRETT COUNTY	**283**	**747**	**710**	**37**	**745**	**703**	**42**	**285**
Civil	238	541	522	19	537	513	24	242
Criminal	37	105	87	18	119	101	18	23
Juvenile	8	101	101	—	89	89	—	20
WASHINGTON COUNTY	**2,055**	**4,104**	**3,979**	**125**	**3,567**	**3,474**	**93**	**2,592**
Civil	1,613	2,619	2,568	51	2,247	2,211	36	1,985
Criminal	359	853	779	74	694	637	57	518
Juvenile	83	632	632	—	626	626	—	89

NOTE: See note on Table CC-6.1.

TABLE CC-6.5

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	**21,262**	**25,329**	**24,204**	**1,125**	**23,393**	**22,281**	**1,112**	**23,198**
Civil	17,106	14,110	13,480	630	13,338	12,654	684	17,878
Criminal	3,370	6,516	6,021	495	5,432	5,004	428	4,454
Juvenile	786	4,703	4,703	—	4,623	4,623	—	866
ANNE ARUNDEL COUNTY	**15,186**	**16,723**	**16,013**	**710**	**15,618**	**14,979**	**639**	**16,291**
Civil	12,652	9,835	9,325	510	9,453	8,957	496	13,034
Criminal	1,976	3,380	3,180	200	2,707	2,564	143	2,649
Juvenile	558	3,508	3,508	—	3,458	3,458	—	608
CARROLL COUNTY	**2,192**	**3,757**	**3,599**	**158**	**3,314**	**3,163**	**151**	**2,635**
Civil	1,492	1,895	1,853	42	1,785	1,738	47	1,602
Criminal	597	1,224	1,108	116	910	806	104	911
Juvenile	103	638	638	—	619	619	—	122
HOWARD COUNTY	**3,884**	**4,849**	**4,592**	**257**	**4,461**	**4,139**	**322**	**4,272**
Civil	2,962	2,380	2,302	78	2,100	1,959	141	3,242
Criminal	797	1,912	1,733	179	1,815	1,634	181	894
Juvenile	125	557	557	—	546	546	—	136

NOTE: See note on Table CC-6.1.

TABLE CC-6.6

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	**22,203**	**26,011**	**25,111**	**900**	**18,601**	**18,003**	**598**	**29,613**
Civil	15,350	14,944	14,591	353	11,627	11,320	307	18,667
Criminal	5,683	6,993	6,446	547	3,337	3,046	291	9,339
Juvenile	1,170	4,074	4,074	—	3,637	3,637	—	1,607
FREDERICK COUNTY	**1,615**	**3,388**	**3,269**	**119**	**2,841**	**2,736**	**105**	**2,162**
Civil	1,174	2,274	2,207	67	1,866	1,804	62	1,582
Criminal	372	786	734	52	645	602	43	513
Juvenile	69	328	328	—	330	330	—	67
MONTGOMERY COUNTY	**20,588**	**22,623**	**21,842**	**781**	**15,760**	**15,267**	**493**	**27,451**
Civil	14,176	12,670	12,384	286	9,761	9,516	245	17,085
Criminal	5,311	6,207	5,712	495	2,692	2,444	248	8,826
Juvenile*	1,101	3,746	3,746	—	3,307	3,307	—	1,540

*Juvenile causes processed at the District Court level.

NOTE: See note on Table CC-6.1.

TABLE CC-6.7

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SEVENTH CIRCUIT	**27,601**	**43,583**	**42,855**	**728**	**40,649**	**39,707**	**942**	**30,535**
Civil	22,145	26,462	26,137	325	24,648	24,118	530	23,959
Criminal	4,155	9,649	9,246	403	8,639	8,227	412	5,165
Juvenile	1,301	7,472	7,472	—	7,362	7,362	—	1,411
CALVERT COUNTY	**824**	**1,536**	**1,459**	**77**	**1,488**	**1,397**	**91**	**872**
Civil	633	914	861	53	888	825	63	659
Criminal	123	316	292	24	346	318	28	93
Juvenile	68	306	306	—	254	254	—	120
CHARLES COUNTY	**1,562**	**4,710**	**4,580**	**130**	**4,124**	**3,990**	**134**	**2,148**
Civil	926	2,990	2,952	38	2,535	2,495	40	1,381
Criminal	494	948	856	92	812	718	94	630
Juvenile	142	772	772	—	777	777	—	137
PRINCE GEORGE'S COUNTY	**24,377**	**34,525**	**34,074**	**451**	**32,711**	**32,108**	**603**	**26,191**
Civil	19,908	20,817	20,644	173	19,652	19,327	325	21,073
Criminal	3,400	7,559	7,281	278	6,945	6,667	278	4,014
Juvenile	1,069	6,149	6,149	—	6,114	6,114	—	1,104
ST. MARY'S COUNTY	**838**	**2,812**	**2,742**	**70**	**2,326**	**2,212**	**114**	**1,324**
Civil	678	1,741	1,680	61	1,573	1,471	102	846
Criminal	138	826	817	9	536	524	12	428
Juvenile	22	245	245	—	217	217	—	50

NOTE: See note on Table CC-6.1.

TABLE CC-6.8

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT								
BALTIMORE CITY	**83,267**	**52,302**	**50,983**	**1,319**	**38,296**	**37,420**	**876**	**97,273**
Total—Civil Courts	61,287	23,282	22,770	512	11,879	11,435	444	72,690
Total—Criminal Court	8,970	16,151	15,344	807	14,049	13,617	432	11,072
Total—Juvenile Court	13,010	12,869	12,869	—	12,368	12,368	—	13,511

NOTE: See note on Table CC-6.1

TABLE CC-6.9

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE STATE OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—STATE	**192,012**	**197,625**	**190,826**	**6,599**	**164,668**	**158,914**	**5,754**	**224,969**
Civil	141,963	106,193	103,304	2,889	84,894	81,935	2,959	163,262
Criminal	32,071	55,247	51,537	3,710	44,910	42,115	2,795	42,408
Juvenile*	17,978	36,185	36,185	—	34,864	34,864	—	19,299

*Includes juvenile causes processed by the District Court for Montgomery County.

NOTE: See note on Table CC-6.1.

TABLE CC-7

PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	**4,550**	**59.3**	**2,498**	**32.6**	**622**	**8.1**	**7,670**	**100.0**
Dorchester	1,398	75.0	310	16.6	157	8.4	1,865	100.0
Somerset	700	68.6	228	22.3	93	9.1	1,021	100.0
Wicomico	1,358	52.2	1,050	40.3	196	7.5	2,604	100.0
Worcester	1,094	50.2	910	41.7	176	8.1	2,180	100.0
SECOND CIRCUIT	**3,917**	**62.6**	**1,568**	**25.0**	**774**	**12.4**	**6,259**	**100.0**
Caroline	656	64.6	281	27.6	79	7.8	1,016	100.0
Cecil	1,626	63.8	582	22.8	341	13.4	2,549	100.0
Kent	451	67.5	169	25.3	48	7.2	668	100.0
Queen Anne's	563	59.2	261	27.4	127	13.4	951	100.0
Talbot	621	57.8	275	25.6	179	16.6	1,075	100.0
THIRD CIRCUIT	**14,547**	**48.8**	**10,573**	**35.5**	**4,672**	**15.7**	**29,792**	**100.0**
Baltimore	11,633	47.8	8,717	35.8	3,975	16.4	24,325	100.0
Harford	2,914	53.3	1,856	33.9	697	12.8	5,467	100.0
FOURTH CIRCUIT	**4,381**	**65.6**	**1,299**	**19.4**	**999**	**15.0**	**6,679**	**100.0**
Allegany	1,221	66.8	341	18.7	266	14.5	1,828	100.0
Garrett	541	72.4	105	14.1	101	13.5	747	100.0
Washington	2,619	63.8	853	20.8	632	15.4	4,104	100.0
FIFTH CIRCUIT	**14,110**	**55.7**	**6,516**	**25.7**	**4,703**	**18.6**	**25,329**	**100.0**
Anne Arundel	9,835	58.8	3,380	20.2	3,508	21.0	16,723	100.0
Carroll	1,895	50.4	1,224	32.6	638	17.0	3,757	100.0
Howard	2,380	49.1	1,912	39.4	557	11.5	4,849	100.0
SIXTH CIRCUIT	**14,944**	**57.4**	**6,993**	**26.9**	**4,074**	**15.7**	**26,011**	**100.0**
Frederick	2,274	67.1	786	23.2	328	9.7	3,388	100.0
Montgomery*	12,670	56.0	6,207	27.4	3,746	16.6	22,623	100.0
SEVENTH CIRCUIT	**26,462**	**60.7**	**9,649**	**22.1**	**7,472**	**17.2**	**43,583**	**100.0**
Calvert	914	59.5	316	20.6	306	19.9	1,536	100.0
Charles	2,990	63.5	948	20.1	772	16.4	4,710	100.0
Prince George's	20,817	60.3	7,559	21.9	6,149	17.8	34,525	100.0
St. Mary's	1,741	61.9	826	29.4	245	8.7	2,812	100.0
EIGHTH CIRCUIT	**23,282**	**44.5**	**16,151**	**30.9**	**12,869**	**24.6**	**52,302**	**100.0**
Baltimore City	23,282	44.5	16,151	30.9	12,869	24.6	52,302	100.0
STATE	**106,193**	**53.7**	**55,247**	**28.0**	**36,185**	**18.3**	**197,625**	**100.0**

*Juvenile causes heard at District Court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,398**	**700**	**1,358**	**1,094**	**656**	**1,626**	**451**	**563**	**621**	**11,633**	**2,914**	**1,221**	**541**	**2,619**	**9,835**	**1,895**	**2,380**	**2,274**	**12,670**	**914**	**2,990**	**20,817**	**1,741**	**23,282**	**106,193**
TORT:																									
Motor Tort	23	8	45	40	17	73	7	20	28	1,522	224	57	12	96	805	89	180	110	887	29	102	1,565	58	3,566	9,563
Other Tort	5	1	25	35	24	14	8	5	12	950	37	14	9	44	112	34	57	53	368	20	32	583	13	920	3,375
CONTRACT	23	12	73	117	4	15	10	19	22	1,379	86	33	17	77	604	81	250	117	2,230	31	83	1,187	21	832	7,323
CONDEMNATION	8	0	7	0	0	2	0	5	1	44	3	1	2	4	37	0	9	2	9	4	7	15	0	53	213
CONTESTED CONFESSED JUDGMENT	0	0	1	2	0	0	1	0	4	13	1	0	1	1	2	3	1	0	0	3	1	2	9	1,009	1,054
OTHER LAW	12	9	25	22	0	119	14	0	53	382	155	58	8	6	385	1	4	69	26	17	0	7	3	2,738	4,113
APPEALS:																									
District Court—On Record	4	0	4	2	1	6	0	1	1	84	15	1	4	8	8	1	23	12	37	6	4	1	0	0	223
District Court—De Novo	0	0	0	4	0	2	0	0	0	87	18	2	2	2	136	0	15	15	35	11	7	2	0	144	482
Administrative Agencies	58	12	26	19	6	39	7	14	15	418	94	59	13	41	366	41	68	40	214	36	27	170	61	368	2,212
UNREPORTED LAW	6	0	0	0	0	0	0	0	1	3	2	0	0	0	8	0	1	0	3	0	0	18	8	22	72
DIVORCE/NULLITY	240	126	446	208	142	383	133	138	180	3,282	869	385	168	765	2,861	632	744	747	3,450	252	702	5,550	439	3,967	26,809
OTHER DOMESTIC RELATIONS	77	136	150	112	116	461	105	112	96	886	518	150	179	617	594	414	280	434	646	122	576	4,263	264	649	11,957
ADOPTION/GUARDIANSHIP	35	1	37	23	10	47	15	15	15	258	112	36	19	72	233	52	134	90	472	41	56	303	18	491	2,585
PATERNITY	707	325	379	221	196	246	124	131	124	881	327	122	45	435	1,643	34	142	286	808	118	1,075	4,035	376	4,965	17,745
OTHER GENERAL	192	66	138	287	136	214	25	102	65	1,411	440	299	59	443	1,870	512	448	288	2,204	218	307	3,044	385	3,557	16,710
UNREPORTED CATEGORY	8	4	2	2	4	5	2	1	4	33	13	4	3	8	171	1	24	11	1,281	6	11	72	86	1	1,757
JUVENILE—TOTALS	**157**	**93**	**196**	**176**	**79**	**341**	**48**	**127**	**179**	**3,975**	**697**	**266**	**101**	**632**	**3,508**	**638**	**557**	**328**	**3,746**	**306**	**772**	**6,149**	**245**	**12,869**	**36,185**
DELINQUENCY	120	69	136	159	50	257	33	86	105	3,345	469	161	43	453	2,710	489	485	243	2,616	241	657	4,291	219	10,072	27,509
ADULT	0	0	0	0	2	2	0	9	0	0	0	0	0	0	1	17	0	0	11	2	2	7	3	12	68
CHILD IN NEED OF SUPERVISION	1	0	7	0	7	3	2	11	3	30	8	26	11	17	13	20	2	11	9	3	3	19	0	122	328
CHILD IN NEED OF ASSISTANCE	35	22	53	15	19	78	13	19	59	593	219	79	47	153	783	108	69	71	1,098	60	110	1,817	21	2,660	8,201
UNREPORTED CATEGORY	1	2	0	2	1	1	0	2	12	7	1	0	0	9	1	4	1	3	12	0	0	15	2	3	79
CRIMINAL—TOTALS	**310**	**228**	**1,050**	**910**	**281**	**582**	**169**	**261**	**275**	**8,717**	**1,856**	**341**	**105**	**853**	**3,380**	**1,224**	**1,912**	**786**	**6,207**	**316**	**948**	**7,559**	**826**	**16,151**	**55,247**
INDICTMENT INFORMATION	113	73	395	226	168	221	84	105	175	2,650	522	137	62	390	2,037	345	826	428	2,005	221	724	3,104	254	5,520	20,785
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	16	10	24	37	9	57	6	11	10	651	84	19	8	36	114	62	136	39	318	13	27	135	2	364	2,188
Other	11	3	18	18	10	30	9	19	20	244	25	25	10	38	86	54	43	13	177	11	65	143	7	443	1,522
JURY TRIAL PRAYED—MOTOR	77	48	245	306	41	134	7	62	17	1,411	726	60	9	135	394	349	436	192	2,176	30	44	1,767	284	518	9,468
JURY TRIAL PRAYED—OTHER	86	92	364	318	52	131	58	63	53	2,937	476	91	15	225	672	390	463	112	1,384	36	67	2,236	275	9,159	19,755
NONSUPPORT	0	0	0	0	0	0	0	0	0	800	2	8	0	0	51	0	0	0	0	0	2	0	0	0	863
POST CONVICTION	0	0	0	0	0	5	1	0	0	2	3	0	0	13	26	1	6	0	9	5	9	108	0	147	335
UNREPORTED CATEGORY	7	2	4	5	1	4	4	1	0	22	18	1	1	16	0	23	2	2	138	0	10	66	4	0	331

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,271**	**654**	**1,310**	**1,107**	**547**	**1,428**	**445**	**562**	**459**	**9,640**	**2,421**	**774**	**537**	**2,247**	**9,453**	**1,785**	**2,100**	**1,866**	**9,761**	**888**	**2,535**	**19,652**	**1,573**	**11,879**	**84,894**
TORT:																									
Motor Tort	20	8	32	35	9	61	5	27	17	1,151	141	52	17	54	655	59	152	83	570	32	84	1,415	51	2,482	7,212
Other Tort	6	3	22	26	9	8	6	2	12	473	29	13	12	37	151	26	50	37	295	25	31	574	17	631	2,495
CONTRACT	8	3	70	96	4	10	7	15	20	945	79	30	16	72	623	78	207	112	1,457	31	65	1,058	31	630	5,667
CONDEMNATION	4	0	0	0	0	1	3	12	0	46	0	2	0	3	19	0	13	4	5	5	8	26	0	24	175
CONTESTED CONFESSED JUDGMENT	0	0	1	1	0	1	1	0	4	2	0	0	0	1	3	6	2	1	1	3	4	2	1	36	70
OTHER LAW	16	7	26	29	0	112	6	0	33	370	85	24	10	9	873	6	4	59	77	23	1	25	16	2,004	3,817
APPEALS:																									
District Court—On Record	4	0	6	0	1	3	0	1	0	91	16	1	8	5	4	1	27	10	16	3	6	1	0	0	204
District Court—De Novo	5	0	0	3	1	0	0	0	1	67	15	0	3	1	190	0	20	13	14	14	6	6	3	105	467
Administrative Agencies	30	14	17	25	5	43	11	19	14	417	82	42	13	30	302	46	94	39	215	46	28	318	99	339	2,288
UNREPORTED LAW	2	0	0	0	1	0	0	0	0	1	0	1	0	0	0	0	0	0	2	0	0	1	0	4	12
DIVORCE/NULLITY	209	132	458	228	138	313	129	117	164	3,086	730	296	170	651	2,790	605	654	669	2,706	256	573	5,925	399	2,924	24,322
OTHER DOMESTIC RELATIONS	66	130	153	122	85	416	109	115	41	819	438	60	160	540	508	389	243	349	831	110	445	4,501	257	212	11,099
ADOPTION/GUARDIANSHIP	29	1	34	29	8	40	12	13	17	257	105	30	13	50	216	61	116	71	315	37	48	232	27	413	2,174
PATERNITY	700	302	360	237	168	236	114	133	89	584	329	45	50	396	1,666	45	109	201	669	87	924	3,431	331	0	11,206
OTHER GENERAL	169	52	128	276	116	178	42	108	44	1,321	366	175	65	395	1,406	463	406	214	1,819	214	311	2,112	326	2,075	12,781
UNREPORTED CATEGORY	3	2	1	0	2	6	0	0	3	10	6	3	0	3	47	0	3	4	769	2	1	25	15	0	905
JUVENILE—TOTALS	**146**	**86**	**187**	**189**	**79**	**346**	**45**	**116**	**171**	**3,864**	**635**	**295**	**89**	**626**	**3,458**	**619**	**546**	**330**	**3,307**	**254**	**777**	**6,114**	**217**	**12,368**	**34,864**
DELINQUENCY	111	66	137	161	52	264	33	80	115	3,222	417	169	39	448	2,664	488	480	249	2,257	183	653	4,273	193	9,913	26,667
ADULT	0	0	0	1	2	2	0	5	0	0	0	10	0	1	0	15	0	0	9	2	2	12	1	10	72
CHILD IN NEED OF SUPERVISION	1	0	6	0	4	7	2	10	2	34	7	25	10	23	14	16	2	8	10	1	3	19	0	66	270
CHILD IN NEED OF ASSISTANCE	34	18	44	27	21	73	10	20	52	601	209	91	40	154	780	98	64	71	1,018	68	119	1,807	23	2,375	7,817
UNREPORTED CATEGORY	0	2	0	0	0	0	0	1	2	7	2	0	0	0	0	2	0	2	13	0	0	3	0	4	38
CRIMINAL—TOTALS	**305**	**211**	**1,031**	**816**	**210**	**471**	**158**	**220**	**276**	**7,099**	**1,520**	**323**	**119**	**694**	**2,707**	**910**	**1,815**	**645**	**2,692**	**346**	**812**	**6,945**	**536**	**14,049**	**44,910**
INDICTMENT INFORMATION	103	60	367	221	110	211	91	100	157	2,085	467	133	72	350	1,640	272	725	360	1,032	240	602	2,557	212	4,943	17,110
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	18	11	20	37	8	43	2	9	12	509	78	22	8	29	57	61	144	36	153	15	33	128	3	86	1,522
Other	9	6	21	20	10	31	10	17	21	198	23	22	10	28	86	43	37	7	95	13	61	150	9	346	1,273
JURY TRIAL PRAYED—MOTOR	78	51	262	254	35	92	8	53	25	1,189	584	60	7	108	330	261	442	162	794	27	42	1,738	155	497	7,254
JURY TRIAL PRAYED—OTHER	97	82	360	283	46	92	47	41	61	2,437	361	81	22	163	503	272	462	80	608	47	68	2,285	157	8,039	16,694
NONSUPPORT	0	0	1	0	0	0	0	0	0	681	3	5	0	0	74	0	0	0	0	0	2	0	0	0	766
POST CONVICTION	0	0	0	0	1	2	0	0	0	0	4	0	0	16	17	1	5	0	7	4	4	85	0	138	284
UNREPORTED CATEGORY	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	2	0	0	7

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																									
Civil																									
Court Trials	31	37	82	73	146	340	4	12	6	308	423	110	85	70	283	48	225	273	1,153	91	363	2,713	18	955	7,849
Jury Trials	7	0	12	18	9	20	3	6	10	152	18	31	2	17	115	13	35	34	143	28	25	370	5	137	1,210
Criminal																									
Court Trials	78	36	131	413	24	59	6	3	142	246	36	22	9	45	401	57	66	20	109	15	17	11	2	394	2,342
Jury Trials	15	18	56	58	35	66	3	0	25	94	28	28	8	67	89	9	37	24	350	9	39	167	8	369	1,602
COUNTY TOTALS																									
Court Trials	109	73	213	486	170	399	10	15	148	554	459	132	94	115	684	105	291	293	1,262	106	380	2,724	20	1,349	10,191
Jury Trials	22	18	68	76	44	86	6	6	35	246	46	59	10	84	204	22	72	58	493	37	64	537	13	506	2,812
TOTAL	131	91	281	562	214	485	16	21	183	800	505	191	104	199	888	127	363	351	1,755	143	444	3,261	33	1,855	13,003
CIRCUIT TOTALS	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	
Court Trials	881				742					1,013		341			1,080			1,555		3,230				1,349	10,191
Jury Trials	184				177					292		153			298			551		651				506	2,812
TOTAL	**1,065**				**919**					**1,305**		**494**			**1,378**			**2,106**		**3,881**				**1,855**	**13,003**
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																									
Civil Hearings	226	337	423	412	72	253	69	281	187	3,207	1,126	159	162	540	6,033	858	1,817	264	7,955	344	1,187	16,304	824	1,762	44,802
Criminal Hearings	256	200	1,251	760	568	988	297	437	319	8,012	2,614	467	167	1,031	5,076	1,731	2,738	987	17,805	601	1,337	16,711	896	15,413	80,662
Juvenile Hearings	131	85	296	292	140	645	53	201	307	4,884	636	290	125	803	5,497	786	949	632	5,271	661	1,504	11,978	428	28,300	64,894
COUNTY TOTALS	613	622	1,970	1,464	780	1,886	419	919	813	16,103	4,376	916	454	2,374	16,606	3,375	5,504	1,883	31,031	1,606	4,028	44,993	2,148	45,475	190,358
CIRCUIT TOTALS	**1ST CIRCUIT 4,669**				**2ND CIRCUIT 4,817**					**3RD CIRCUIT 20,479**		**4TH CIRCUIT 3,744**			**5TH CIRCUIT 25,485**			**6TH CIRCUIT 32,914**		**7TH CIRCUIT 52,775**				**8TH CIRCUIT 45,475**	**190,358**

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
LAW																									
District Court—De Novo	0	0	0	4	0	2	0	0	0	87	18	2	2	2	136	0	15	15	35	11	7	2	0	144	482
—On Record	4	0	4	2	1	6	0	1	1	84	15	1	4	8	8	1	23	12	37	6	4	1	0	0	223
Administrative Agencies	58	12	26	19	6	39	7	14	15	418	94	59	13	41	366	41	68	40	214	36	27	170	61	368	2,212
Total	62	12	30	25	7	47	7	15	16	589	127	62	19	51	510	42	106	67	286	53	38	173	61	512	2,917
CRIMINAL																									
Motor Vehicle	16	10	24	37	9	57	6	11	10	651	84	19	8	36	114	62	136	39	318	13	27	135	2	364	2,188
Other	11	3	18	18	10	30	9	19	20	244	25	25	10	38	86	54	43	13	177	11	65	143	7	443	1,522
Total	27	13	42	55	19	87	15	30	30	895	109	44	18	74	200	116	179	52	495	24	92	278	9	807	3,710
TOTAL	**89**	**25**	**72**	**80**	**26**	**134**	**22**	**45**	**46**	**1,484**	**236**	**106**	**37**	**125**	**710**	**158**	**285**	**119**	**781**	**77**	**130**	**451**	**70**	**1,319**	**6,627**
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
Prayers for Jury Trials and Appeals:																									
County	194	153	655	685	113	360	80	156	101	5,414	1,344	198	48	444	1,410	856	1,116	383	4,127	107	214	4,284	568	10,628	33,638
Circuit	1,687				810					6,758		690			3,382			4,510		5,173				10,628	33,638
Circuit Court Filings:																									
County	1,865	1,021	2,604	2,180	1,016	2,549	668	951	1,075	24,325	5,467	1,828	747	4,104	16,723	3,757	4,849	3,388	22,623	1,536	4,710	34,525	2,812	52,302	197,625
Circuit	7,670				6,259					29,792		6,679			25,329			26,011		43,583				52,302	197,625
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																									
County	10.4	15.0	25.2	31.4	11.1	14.1	12.0	16.4	9.4	22.3	24.6	10.8	6.4	10.8	8.4	22.8	23.0	11.3	18.2	7.0	4.5	12.4	20.2	20.3	17.0
Circuit	22.0				12.9					22.7		10.3			13.4			17.3		11.9				20.3	17.0

TABLE CC-12

AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1984-85	**1985-86**	**1986-87**	**1984-85**	**1985-86**	**1986-87**	**1984-85**	**1985-86**	**1986-87**
FIRST CIRCUIT									
Dorchester	147	141	148	132	113	121	37	32	37
Somerset	107	116	98	111	115	128	26	14	19
Wicomico	148	154	179	86	89	97	32	34	35
Worcester	175	174	177	117	110	112	47	59	58
SECOND CIRCUIT									
Caroline	143	197	179	125	163	160	59	50	50
Cecil	153	152	143	157	159	146	48	46	56
Kent	129	107	141	159	129	125	65	38	37
Queen Anne's	88	160	181	123	123	134	40	35	47
Talbot	155	158	163	143	126	186	52	69	60
THIRD CIRCUIT									
Baltimore	216	210	213	99	106	125	43	51	48
Harford	182	176	186	173	161	166	48	55	59
FOURTH CIRCUIT									
Allegany	261	232	216	126	144	165	29	38	67
Garrett	192	189	187	125	160	124	32	51	38
Washington	179	170	182	130	157	146	36	43	43
FIFTH CIRCUIT									
Anne Arundel	173	184	228	144	143	149	82	74	80
Carroll	147	151	187	167	150	161	68	69	82
Howard	261	225	262	131	131	135	71	64	72
SIXTH CIRCUIT									
Frederick	169	173	184	103	111	128	59	68	70
Montgomery	223	245	242	142	168	178	92	85	106
SEVENTH CIRCUIT									
Calvert	170	189	191	96	105	95	73	77	81
Charles	181	193	192	152	154	141	65	66	65
Prince George's	246	241	206	104	109	111	63	64	71
St. Mary's	178	184	173	135	114	127	81	73	82
EIGHTH CIRCUIT									
Baltimore City	187	194	243	93	76	81	63	68	65
STATE	**200**	**204**	**214**	**111**	**106**	**112**	**64**	**66**	**66**

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-13

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
				Cases Filed Per Judge		Cases Terminated Per Judge						
		No. of Judges	Population Per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
FIRST CIRCUIT												
Dorchester	30,200	1	30,200	1,555	310	1,417	305	51	10	61	22	0.73
Somerset	18,200	1	18,200	793	228	740	211	44	13	57	18	0.99
Wicomico	70,700	2	35,350	777	525	749	516	22	15	37	68	0.96
Worcester	36,100	2	18,050	635	455	648	408	35	25	60	76	2.11
SECOND CIRCUIT												
Caroline	24,400	1	24,400	735	281	626	210	30	12	42	44	1.80
Cecil	69,500	2	34,750	984	291	887	236	28	8	36	86	1.24
Kent	16,900	1	16,900	499	169	490	158	30	10	40	6	0.36
Queen Anne's	29,900	1	29,900	690	261	678	220	23	9	32	6	0.20
Talbot	27,200	1	27,200	800	275	630	276	29	10	39	35	1.29
THIRD CIRCUIT												
Baltimore	693,600	13	53,354	1,201	671	1,025	546	23	13	36	246	0.35
Harford	151,300	4	37,825	903	464	764	380	24	12	36	46	0.30
FOURTH CIRCUIT												
Allegany	76,700	2	38,350	744	171	535	162	19	4	23	59	0.77
Garrett	27,400	1	27,400	642	105	626	119	23	4	27	10	0.36
Washington	113,300	3	37,767	1,084	284	958	231	29	8	37	84	0.74
FIFTH CIRCUIT												
Anne Arundel	409,500	9	45,500	1,483	376	1,435	301	33	8	41	204	0.50
Carroll	110,600	2	55,300	1,267	612	1,202	455	23	11	34	22	0.20
Howard	144,000	4	36,000	734	478	662	454	20	13	33	72	0.50
SIXTH CIRCUIT												
Frederick	133,800	3	44,600	867	262	732	215	19	6	25	58	0.43
Montgomery	637,400	13	49,031	975	477	751	207	20	10	30	493	0.77
SEVENTH CIRCUIT												
Calvert	43,000	1	43,000	1,220	316	1,142	346	28	7	35	37	0.86
Charles	89,700	2	44,850	1,881	474	1,656	406	42	11	53	64	0.71
Prince George's	675,500	16	42,219	1,685	472	1,610	434	40	11	51	537	0.79
St. Mary's	69,900	1	69,900	1,986	826	1,790	536	28	12	40	13	0.19
EIGHTH CIRCUIT												
Baltimore City	755,000	23	32,826	1,572	702	1,054	611	48	21	69	506	0.67
STATE	**4,453,800**	**109**	**40,860**	**1,272**	**507**	**1,068**	**412**	**31**	**12**	**43**	**2,812**	**0.63**

*Population estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-14

FIVE-YEAR COMPARATIVE TABLE CASES FILED AND TERMINATED PER JUDGE

FISCAL 1983—FISCAL 1987

	FILED		TERMINATED	
	Civil*	Criminal	Civil*	Criminal
1982-1983	1,100	325	906	279
1983-1984	1,205	353	1,092	331
1984-1985	1,209	397	1,049	369
1985-1986	1,262	446	1,034	395
1986-1987	1,272	507	1,068	412

*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15

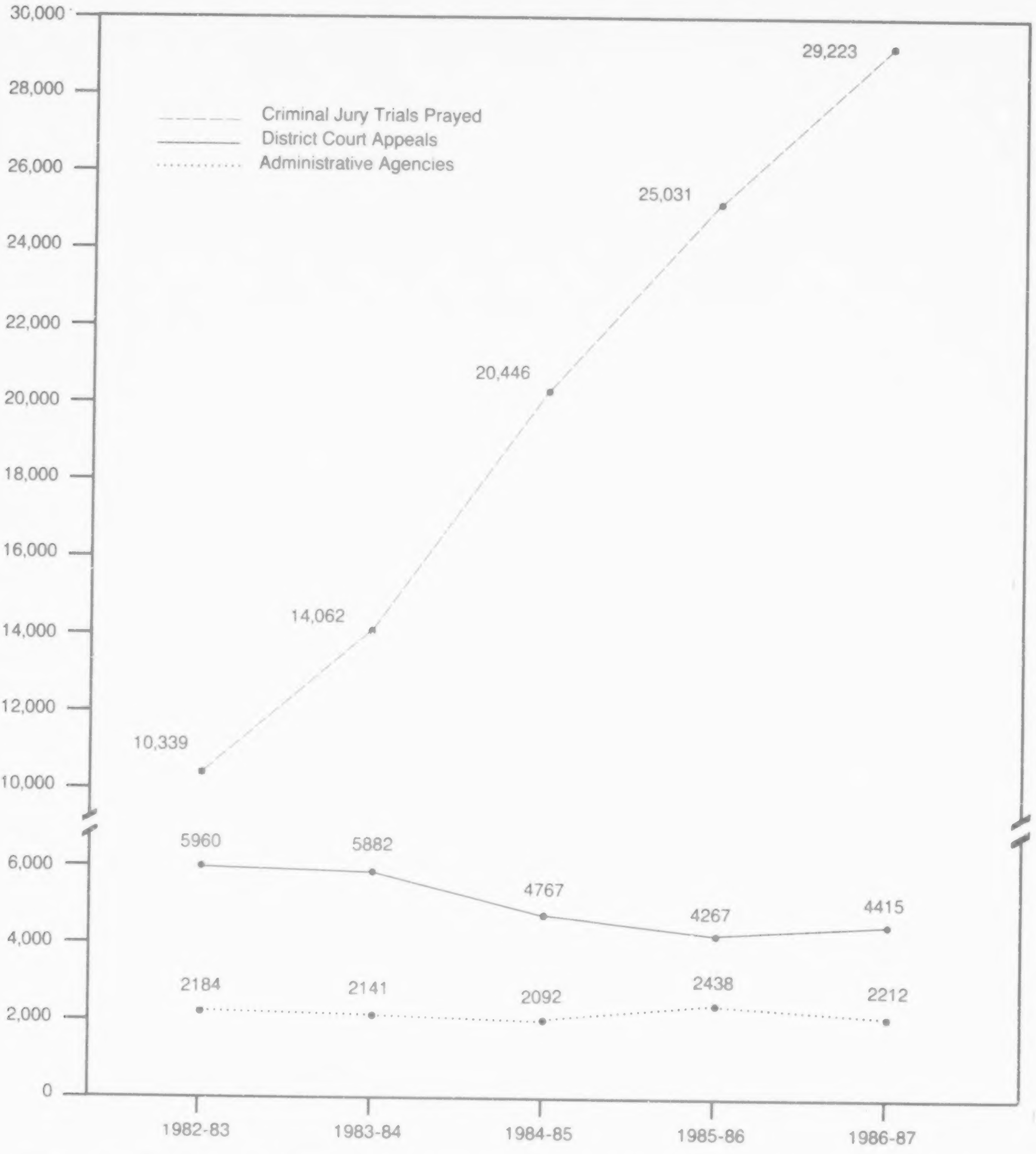
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1983—1987

	1982-1983		1983-1984		1984-1985		1985-1986		1986-1987	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	**309**	**83**	**286**	**64**	**217**	**80**	**156**	**73**	**151**	**115**
Dorchester	29	26	41	15	35	22	29	19	31	58
Somerset	23	3	15	2	12	6	13	3	13	12
Wicomico	144	28	112	26	82	26	59	23	46	26
Worcester	113	26	118	21	88	26	55	28	61	19
SECOND CIRCUIT	**198**	**50**	**141**	**42**	**171**	**74**	**162**	**130**	**192**	**81**
Caroline	28	2	19	0	15	4	20	9	20	6
Cecil	79	17	61	20	97	31	76	59	95	39
Kent	29	10	11	6	11	8	18	18	15	7
Queen Anne's	[illegible]7	4	24	11	23	18	15	17	31	14
Talbot	25	17	26	5	25	13	33	27	31	15
THIRD CIRCUIT	**1,209**	**402**	**1,074**	**433**	**1,007**	**494**	**982**	**568**	**1,208**	**512**
Baltimore	1,057	333	907	361	879	402	860	475	1,066	418
Harford	152	69	167	72	128	92	122	93	142	94
FOURTH CIRCUIT	**215**	**127**	**213**	**120**	**186**	**148**	**150**	**102**	**155**	**113**
Allegany	77	42	93	39	88	65	76	52	47	59
Garrett	25	14	13	10	16	18	14	13	24	13
Washington	113	71	107	71	82	65	60	37	84	41
FIFTH CIRCUIT	**1,022**	**253**	**1,045**	**298**	**762**	**357**	**752**	**421**	**678**	**475**
Anne Arundel	553	166	612	183	384	225	369	283	344	366
Carroll	211	38	196	49	148	41	153	47	117	41
Howard	258	49	237	66	230	91	230	91	217	68
SIXTH CIRCUIT	**857**	**277**	**973**	**295**	**745**	**317**	**668**	**314**	**646**	**254**
Frederick	64	27	104	36	102	29	45	40	79	40
Montgomery	793	250	869	259	643	288	623	274	567	214
SEVENTH CIRCUIT	**751**	**355**	**873**	**440**	**470**	**408**	**492**	**416**	**434**	**294**
Calvert	56	13	69	29	39	26	31	37	41	36
Charles	76	28	51	40	51	30	67	32	103	27
Prince George's	555	295	684	351	353	336	363	235	281	170
St. Mary's	64	19	69	20	27	16	31	112	9	61
EIGHTH CIRCUIT	**1,399**	**637**	**1,277**	**449**	**1,209**	**214**	**905**	**414**	**951**	**368**
Baltimore City	1,399	637	1,277	449	1,209	214	905	414	951	368
STATE	**5,960**	**2,184**	**5,882**	**2,141**	**4,767**	**2,092**	**4,267**	**2,438**	**4,415**	**2,212**

TABLE CC-16

FIVE-YEAR COMPARATIVE GRAPH
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES



NOTE: Jury trial prayers are slightly higher in Table CC-16 than in Table CC-5 because the data for Baltimo City is based on defendants in Table CC-5. In Table CC-16, the Baltimore City data is based on incidence.

TABLE CC-17

FIVE-YEAR COMPARATIVE TABLE POST CONVICTION CASES FILED

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	**9**	**15**	**4**	**5**	**0**
Dorchester	6	14	4	5	0
Somerset	0	0	0	0	0
Wicomico	3	1	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT	**20**	**15**	**4**	**5**	**6**
Caroline	1	8	1	1	0
Cecil	5	2	3	1	5
Kent	0	0	0	0	1
Queen Anne's	9	5	0	0	0
Talbot	5	0	0	3	0
THIRD CIRCUIT	**7**	**13**	**5**	**9**	**5**
Baltimore	0	0	0	1	2
Harford	7	13	5	8	3
FOURTH CIRCUIT	**18**	**30**	**17**	**16**	**13**
Allegany	0	0	0	0	0
Garrett	3	5	2	2	0
Washington	15	25	15	14	13
FIFTH CIRCUIT	**6**	**24**	**17**	**18**	**33**
Anne Arundel	0	0	11	9	26
Carroll	0	0	0	2	1
Howard	6	24	6	7	6
SIXTH CIRCUIT	**10**	**21**	**39**	**24**	**9**
Frederick	0	0	0	0	0
Montgomery	10	21	39	24	9
SEVENTH CIRCUIT	**95**	**92**	**97**	**85**	**122**
Calvert	3	1	6	5	5
Charles	18	14	14	5	9
Prince George's	69	75	74	73	108
St. Mary's	5	2	3	2	0
EIGHTH CIRCUIT	**90**	**191**	**172**	**128**	**147**
Baltimore City	90	191	172	128	147
STATE	**255**	**401**	**355**	**290**	**335**

TABLE CC-18

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED AND DISPOSED OF Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	0	0	0	0	0
Somerset	0	0	0	0	0
Wicomico	0	0	2	0	0
Worcester	15	1	9	0	0
SECOND CIRCUIT					
Caroline	6	0	6	0	0
Cecil	10	0	11	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	0	0	0
Talbot	4	0	4	0	0
THIRD CIRCUIT					
Baltimore	28	0	4	0	2
Harford	3	0	5	0	0
FOURTH CIRCUIT					
Allegany	3	5	1	0	0
Garrett	2	0	2	0	0
Washington	32	3	25	0	1
FIFTH CIRCUIT					
Anne Arundel	31	0	22	0	2
Carroll	5	1	3	0	1
Howard	5	0	5	0	0
SIXTH CIRCUIT					
Frederick	3	2	3	0	2
Montgomery	0	0	2	0	0
SEVENTH CIRCUIT					
Calvert	2	0	0	0	0
Charles	9	0	6	0	1
Prince George's	29	0	23	0	0
St. Mary's	5	0	7	0	0
EIGHTH CIRCUIT					
Baltimore City	64	2	81	0	1
STATE	**256**	**14**	**221**	**0**	**10**

TABLE CC-19

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS

FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**4,182**	**3,930**	**4,441**	**4,214**	**4,244**	**3,917**	**4,797**	**4,815**	**4,550**	**4,342**
Dorchester	892	756	941	861	1,071	1,014	1,415	1,579	1,398	1,271
Somerset	525	403	650	637	562	499	687	708	700	654
Wicomico	1,766	1,812	1,774	1,725	1,425	1,363	1,450	1,319	1,358	1,310
Worcester	999	959	1,076	991	1,186	1,041	1,245	1,209	1,094	1,107
SECOND CIRCUIT	**3,968**	**3,872**	**3,823**	**3,545**	**3,978**	**3,771**	**3,989**	**3,700**	**3,917**	**3,441**
Caroline	530	510	499	491	673	555	697	729	656	547
Cecil	1,614	1,651	1,514	1,353	1,701	1,612	1,601	1,428	1,626	1,428
Kent	285	278	310	284	270	297	379	297	451	445
Queen Anne's	758	728	753	702	671	704	644	626	563	562
Talbot	781	705	747	715	663	603	668	620	621	459
THIRD CIRCUIT	**12,767**	**12,770**	**13,328**	**12,262**	**14,168**	**11,591**	**15,153**	**11,933**	**14,547**	**12,061**
Baltimore	10,290	10,739	10,507	10,039	11,200	9,472	12,044	9,758	11,633	9,640
Harford	2,477	2,031	2,821	2,233	2,968	2,119	3,109	2,175	2,914	2,421
FOURTH CIRCUIT	**3,425**	**3,180**	**3,620**	**3,239**	**4,016**	**3,735**	**4,372**	**3,788**	**4,381**	**3,558**
Allegany	1,064	1,100	954	705	1,048	919	1,134	864	1,221	774
Garrett	455	476	511	539	510	518	503	498	541	537
Washington	1,906	1,604	2,155	1,995	2,458	2,298	2,735	2,426	2,619	2,247
FIFTH CIRCUIT	**11,770**	**9,044**	**14,583**	**13,985**	**16,743**	**14,166**	**16,320**	**12,573**	**14,110**	**13,338**
Anne Arundel	8,125	5,386	10,901	10,535	12,645	10,369	11,967	8,810	9,835	9,453
Carroll	1,712	1,747	1,667	1,532	1,784	1,549	1,883	1,718	1,895	1,785
Howard	1,933	1,911	2,015	1,918	2,314	2,248	2,470	2,045	2,380	2,100
SIXTH CIRCUIT	**13,371**	**11,069**	**13,667**	**12,587**	**13,838**	**13,474**	**14,492**	**12,331**	**14,944**	**11,627**
Frederick	1,773	1,891	1,957	1,796	1,883	1,901	2,134	1,957	2,274	1,866
Montgomery	11,598	9,178	11,710	10,791	11,955	11,573	12,358	10,374	12,670	9,761
SEVENTH CIRCUIT	**20,220**	**17,027**	**22,378**	**23,357**	**21,695**	**17,076**	**23,406**	**18,139**	**26,462**	**24,648**
Calvert	712	720	839	668	798	746	896	892	914	888
Charles	1,752	1,623	1,692	1,594	1,860	1,705	2,212	2,104	2,990	2,535
Prince George's	16,533	13,448	18,738	20,046	18,046	13,729	19,309	14,269	20,817	19,652
St. Mary's	1,223	1,236	1,109	1,049	991	896	989	874	1,741	1,573
EIGHTH CIRCUIT	**18,215**	**10,547**	**18,746**	**13,181**	**23,348**	**18,076**	**24,187**	**16,367**	**23,282**	**11,879**
Baltimore City	18,215	10,547	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879
STATE	**87,918**	**71,439**	**94,586**	**86,370**	**102,030**	**85,806**	**106,716**	**83,646**	**106,193**	**84,894**

TABLE CC-20

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dispositions	Trials	Per-centages	Court Trials	Per-centages	Jury Trials	Per-centages
FIRST CIRCUIT	**4,342**	**260**	**6.0**	**223**	**5.1**	**37**	**0.9**
Dorchester	1,271	38	3.0	31	2.4	7	0.6
Somerset	654	37	5.7	37	5.7	0	0.0
Wicomico	1,310	94	7.2	82	6.3	12	0.9
Worcester	1,107	91	8.2	73	6.6	18	1.6
SECOND CIRCUIT	**3,441**	**556**	**16.2**	**508**	**14.8**	**48**	**1.4**
Caroline	547	155	28.3	146	26.7	9	1.6
Cecil	1,428	360	25.2	340	23.8	20	1.4
Kent	445	7	1.6	4	0.9	3	0.7
Queen Anne's	562	18	3.2	12	2.1	6	1.1
Talbot	459	16	3.5	6	1.3	10	2.2
THIRD CIRCUIT	**12,061**	**901**	**7.5**	**731**	**6.1**	**170**	**1.4**
Baltimore	9,640	460	4.8	308	3.2	152	1.6
Harford	2,421	441	18.2	423	17.5	18	0.7
FOURTH CIRCUIT	**3,558**	**315**	**8.8**	**265**	**7.4**	**50**	**1.4**
Allegany	774	141	18.2	110	14.2	31	4.0
Garrett	537	87	16.2	85	15.8	2	0.4
Washington	2,247	87	3.9	70	3.1	17	0.8
FIFTH CIRCUIT	**13,338**	**719**	**5.4**	**556**	**4.2**	**163**	**1.2**
Anne Arundel	9,453	398	4.2	283	3.0	115	1.2
Carroll	1,785	61	3.4	48	2.7	13	0.7
Howard	2,100	260	12.4	225	10.7	35	1.7
SIXTH CIRCUIT	**11,627**	**1,603**	**13.8**	**1,426**	**12.3**	**177**	**1.5**
Frederick	1,866	307	16.4	273	14.6	34	1.8
Montgomery	9,761	1,296	13.3	1,153	11.8	143	1.5
SEVENTH CIRCUIT	**24,648**	**3,613**	**14.6**	**3,185**	**12.9**	**428**	**1.7**
Calvert	888	119	13.4	91	10.2	28	3.2
Charles	2,535	388	15.3	363	14.3	25	1.0
Prince George's	19,652	3,083	15.7	2,713	13.8	370	1.9
St. Mary's	1,573	23	1.5	18	1.2	5	0.3
EIGHTH CIRCUIT	**11,879**	**1,092**	**9.2**	**955**	**8.0**	**137**	**1.2**
Baltimore City	11,879	1,092	9.2	955	8.0	137	1.2
STATE	**84,894**	**9,059**	**10.7**	**7,849**	**9.2**	**1,210**	**1.4**

TABLE CC-21

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES TRIED

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	**218**	**173**	**264**	**226**	**260**
Dorchester	22	18	36	27	38
Somerset	23	25	24	17	37
Wicomico	117	85	112	117	94
Worcester	56	45	92	65	91
SECOND CIRCUIT	**343**	**401**	**551**	**494**	**556**
Caroline	9	50	104	113	155
Cecil	282	266	381	340	360
Kent	14	21	16	7	7
Queen Anne's	36	52	42	21	18
Talbot	2	12	8	13	16
THIRD CIRCUIT	**1,167**	**1,025**	**827**	**935**	**901**
Baltimore	597	515	437	481	460
Harford	570	510	390	454	441
FOURTH CIRCUIT	**449**	**311**	**262**	**342**	**315**
Allegany	138	74	98	160	141
Garrett	100	109	90	85	87
Washington	211	128	74	97	87
FIFTH CIRCUIT	**1,466**	**1,104**	**647**	**878**	**719**
Anne Arundel	772	614	304	472	398
Carroll	509	300	124	193	61
Howard	185	190	219	213	260
SIXTH CIRCUIT	**2,963**	**2,209**	**859**	**1,086**	**1,603**
Frederick	411	370	263	300	307
Montgomery	2,552	1,839	596	786	1,296
SEVENTH CIRCUIT	**2,139**	**1,415**	**1,466**	**3,194**	**3,613**
Calvert	122	113	127	161	119
Charles	337	311	338	467	388
Prince George's	1,626	943	918	2,523	3,083
St. Mary's	54	48	83	43	23
EIGHTH CIRCUIT	**354***	**1,343**	**1,635**	**1,210**	**1,092**
Baltimore City	354*	1,343	1,635	1,210	1,092
STATE	**9,099***	**7,981**	**6,511**	**8,365**	**9,059**

*Reporting of cases tried from Baltimore City is not completely available for Fiscal 1983.

NOTE: See note on Table CC-10.

TABLE CC-22

CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	556	222	148	39.7	64.6	80.6	93.3	97.3
Somerset	340	163	98	56.5	78.5	87.9	95.6	97.6
Wicomico	1,045	228	179	35.5	61.0	74.4	93.6	98.7
Worcester	849	211	177	28.0	58.3	84.7	97.3	98.8
SECOND CIRCUIT								
Caroline	331	202	179	25.7	61.9	82.5	97.0	99.1
Cecil	934	247	143	36.9	69.8	84.9	95.7	98.5
Kent	290	214	141	36.6	65.9	80.0	92.1	98.6
Queen Anne's	386	223	181	27.7	62.7	75.9	94.6	98.7
Talbot	332	227	163	33.4	66.3	80.1	94.6	98.8
THIRD CIRCUIT								
Baltimore	9,188	326	213	22.8	50.1	64.4	86.8	95.5
Harford	1,955	322	186	24.8	53.8	70.6	86.4	95.0
FOURTH CIRCUIT								
Allegany	654	294	216	20.0	51.8	68.0	89.6	97.9
Garrett	360	208	187	31.7	60.3	77.2	97.8	99.7
Washington	1,479	238	182	34.7	60.2	74.7	93.1	98.3
FIFTH CIRCUIT								
Anne Arundel	6,275	399	228	17.9	43.8	63.7	85.0	91.9
Carroll	1,480	346	187	25.2	54.0	68.8	84.6	92.2
Howard	1,829	364	262	13.0	40.5	60.1	87.5	96.6
SIXTH CIRCUIT								
Frederick	1,496	224	184	25.5	59.3	78.9	95.4	98.6
Montgomery	7,834	369	242	15.5	44.7	61.0	85.8	94.9
SEVENTH CIRCUIT								
Calvert	792	253	191	27.3	56.6	74.1	92.3	97.9
Charles	1,289	241	192	25.8	57.6	76.2	94.0	98.9
Prince George's	13,456	338	206	23.0	50.3	68.4	86.8	94.3
St. Mary's	1,075	205	173	31.5	61.2	78.9	96.1	99.0
EIGHTH CIRCUIT								
Baltimore City	11,394	375	243	15.8	42.2	58.7	81.8	95.6
STATE	**65,619**	**333**	**214**	**21.7**	**49.5**	**66.4**	**87.0**	**95.4**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-23

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS

FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**1,493**	**1,399**	**1,489**	**1,494**	**1,594**	**1,512**	**2,142**	**1,815**	**2,498**	**2,363**
Dorchester	169	154	215	190	260	253	286	246	310	305
Somerset	115	61	108	122	155	150	190	139	228	211
Wicomico	686	652	668	685	632	637	976	829	1,050	1,031
Worcester	523	532	498	497	547	472	690	601	910	816
SECOND CIRCUIT	**1,020**	**1,058**	**915**	**908**	**956**	**925**	**1,219**	**1,004**	**1,568**	**1,335**
Caroline	146	129	123	124	142	116	179	166	281	210
Cecil	423	457	465	416	429	461	456	391	582	471
Kent	105	87	48	56	54	57	127	88	169	158
Queen Anne's	171	197	165	161	165	170	194	180	261	220
Talbot	175	188	114	151	166	121	263	179	275	276
THIRD CIRCUIT	**6,506**	**5,540**	**6,378**	**5,649**	**7,136**	**6,033**	**8,871**	**7,170**	**10,573**	**8,619**
Baltimore	5,564	4,820	5,211	4,806	5,799	4,976	7,374	5,924	8,717	7,099
Harford	942	720	1,167	843	1,337	1,066	1,497	1,246	1,856	1,520
FOURTH CIRCUIT	**743**	**792**	**729**	**718**	**844**	**770**	**1,042**	**841**	**1,299**	**1,136**
Allegany	166	201	219	178	248	232	362	286	341	323
Garrett	134	149	86	109	113	85	91	107	105	119
Washington	443	442	424	431	483	453	589	448	853	694
FIFTH CIRCUIT	**4,414**	**3,779**	**5,010**	**4,116**	**5,135**	**4,870**	**5,643**	**5,063**	**6,516**	**5,432**
Anne Arundel	2,421	2,189	2,493	1,925	2,562	2,313	2,822	2,413	3,380	2,707
Carroll	837	588	1,196	980	1,134	1,218	1,162	1,117	1,224	910
Howard	1,156	1,002	1,321	1,211	1,439	1,339	1,659	1,533	1,912	1,815
SIXTH CIRCUIT	**3,529**	**2,582**	**4,538**	**3,754**	**5,465**	**4,443**	**5,960**	**4,408**	**6,993**	**3,337**
Frederick	345	395	357	317	487	472	644	473	786	645
Montgomery	3,184	2,187	4,181	3,437	4,978	3,971	5,316	3,935	6,207	2,692
SEVENTH CIRCUIT	**5,823**	**5,120**	**6,747**	**6,609**	**7,987**	**7,208**	**8,654**	**7,854**	**9,649**	**8,639**
Calvert	167	133	206	193	342	281	369	352	316	346
Charles	678	553	571	517	613	571	774	646	948	812
Prince George's	4,744	4,226	5,645	5,607	6,707	6,038	7,138	6,497	7,559	6,945
St. Mary's	234	208	325	292	325	318	373	359	826	536
EIGHTH CIRCUIT	**10,334**	**8,459**	**10,932**	**11,210**	**13,430**	**13,772**	**15,129**	**14,859**	**16,151**	**14,049**
Baltimore City	10,334	8,459	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049
STATE	**33,862**	**28,729**	**36,738**	**34,458**	**42,547**	**39,533**	**48,660**	**43,014**	**55,247**	**44,910**

TABLE CC-24

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**2,363**	**805**	**34.1**	**658**	**27.9**	**147**	**6.2**
Dorchester	305	93	30.5	78	25.6	15	4.9
Somerset	211	54	25.6	36	17.1	18	8.5
Wicomico	1,031	187	18.1	131	12.7	56	5.4
Worcester	816	471	57.7	413	50.6	58	7.1
SECOND CIRCUIT	**1,335**	**363**	**27.2**	**234**	**17.5**	**129**	**9.7**
Caroline	210	59	28.1	24	11.4	35	16.7
Cecil	471	125	26.5	59	12.5	66	14.0
Kent	158	9	5.7	6	3.8	3	1.9
Queen Anne's	220	3	1.4	3	1.4	0	0.0
Talbot	276	167	60.5	142	51.4	25	9.1
THIRD CIRCUIT	**8,619**	**404**	**4.7**	**282**	**3.3**	**122**	**1.4**
Baltimore	7,099	340	4.8	246	3.5	94	1.3
Harford	1,520	64	4.2	36	2.4	28	1.8
FOURTH CIRCUIT	**1,136**	**179**	**15.8**	**76**	**6.7**	**103**	**9.1**
Allegany	323	50	15.5	22	6.8	28	8.7
Garrett	119	17	14.3	9	7.6	8	6.7
Washington	694	112	16.1	45	6.5	67	9.6
FIFTH CIRCUIT	**5,432**	**659**	**12.1**	**524**	**9.6**	**135**	**2.5**
Anne Arundel	2,707	490	18.1	401	14.8	89	3.3
Carroll	910	66	7.3	57	6.3	9	1.0
Howard	1,815	103	5.7	66	3.7	37	2.0
SIXTH CIRCUIT	**3,337**	**503**	**15.1**	**129**	**3.9**	**374**	**11.2**
Frederick	645	44	6.8	20	3.1	24	3.7
Montgomery	2,692	459	17.1	109	4.0	350	13.0
SEVENTH CIRCUIT	**8,639**	**268**	**3.1**	**45**	**0.5**	**223**	**2.6**
Calvert	346	24	6.9	15	4.3	9	2.6
Charles	812	56	6.9	17	2.1	39	4.8
Prince George's	6,945	178	2.6	11	0.2	167	2.4
St. Mary's	536	10	1.9	2	0.4	8	1.5
EIGHTH CIRCUIT	**14,049**	**763**	**5.4**	**394**	**2.8**	**369**	**2.6**
Baltimore City	14,049	763	5.4	394	2.8	369	2.6
STATE	**44,910**	**3,944**	**8.8**	**2,342**	**5.2**	**1,602**	**3.6**

NOTE: See note on Table CC-10.

TABLE CC-25

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES TRIED

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	**510**	**599**	**606**	**598**	**805**
Dorchester	137	156	153	110	93
Somerset	56	57	60	46	54
Wicomico	261	163	173	186	187
Worcester	56	223	220	256	471
SECOND CIRCUIT	**515**	**378**	**275**	**239**	**363**
Caroline	86	79	28	23	59
Cecil	169	86	87	109	125
Kent	15	12	1	5	9
Queen Anne's	136	110	99	52	3
Talbot	109	91	60	50	167
THIRD CIRCUIT	**2,668**	**2,828**	**278**	**291**	**404**
Baltimore	2,577	2,698	175	188	340
Harford	91	130	103	103	64
FOURTH CIRCUIT	**372**	**172**	**185**	**164**	**179**
Allegany	200	77	75	64	50
Garrett	52	21	11	22	17
Washington	120	74	99	78	112
FIFTH CIRCUIT	**1,829**	**1,512**	**1,227**	**813**	**659**
Anne Arundel	520	514	468	422	490
Carroll	654	361	112	96	66
Howard	655	637	647	295	103
SIXTH CIRCUIT	**290**	**348**	**517**	**457**	**503**
Frederick	83	82	232	169	44
Montgomery	207	266	285	288	459
SEVENTH CIRCUIT	**281**	**299**	**253**	**263**	**268**
Calvert	10	25	30	32	24
Charles	48	36	41	53	56
Prince George's	203	221	161	168	178
St. Mary's	20	17	21	10	10
EIGHTH CIRCUIT	**1,395**	**1,159**	**1,126**	**791**	**763**
Baltimore City	1,395	1,159	1,126	791	763
STATE	**7,860**	**7,295**	**4,467**	**3,616**	**3,944**

NOTE: See note on Table CC-10.

TABLE CC-26

CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	257	135	121	2.7	22.2	63.8	84.4	99.6
Somerset	210	129	128	9.0	20.0	54.8	83.8	99.5
Wicomico	823	100	97	17.1	49.6	76.9	94.3	99.8
Worcester	750	113	112	10.1	33.7	65.2	91.6	99.7
SECOND CIRCUIT								
Caroline	183	169	160	8.2	15.8	31.7	62.3	98.4
Cecil	394	163	146	7.6	15.7	33.5	67.8	96.7
Kent	129	173	125	14.7	31.8	48.1	79.8	98.4
Queen Anne's	161	158	134	9.3	23.0	42.2	77.6	97.5
Talbot	222	237	186	5.0	9.0	19.8	47.7	95.9
THIRD CIRCUIT								
Baltimore	5,753	138	125	11.2	36.6	64.9	82.7	96.6
Harford	1,134	212	165	5.6	22.0	31.3	51.9	88.0
FOURTH CIRCUIT								
Allegany	300	182	165	5.7	25.3	33.7	57.0	93.0
Garrett	109	124	124	26.6	36.7	48.6	83.5	100.0
Washington	599	156	146	8.3	19.9	41.4	67.3	96.8
FIFTH CIRCUIT								
Anne Arundel	2,218	181	149	7.0	19.5	35.1	66.1	93.1
Carroll	699	237	161	8.0	15.6	31.3	58.7	95.4
Howard	1,289	156	135	3.8	25.4	50.8	74.2	94.7
SIXTH CIRCUIT								
Frederick	612	134	128	18.8	34.2	50.2	79.2	98.0
Montgomery	2,168	226	178	11.9	18.4	26.8	42.8	85.5
SEVENTH CIRCUIT								
Calvert	261	95	95	28.4	44.4	70.5	95.4	100.0
Charles	550	154	141	8.5	14.7	36.5	76.0	97.3
Prince George's	6,315	119	111	20.3	45.7	63.5	83.3	98.0
St. Mary's	413	134	127	15.3	32.4	48.4	80.4	98.3
EIGHTH CIRCUIT								
Baltimore City	14,049	97	81	50.0	61.6	74.8	87.8	97.2
STATE	**39,598**	**132**	**112**	**25.9**	**42.6**	**60.3**	**79.4**	**96.1**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-27

FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS

FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**523**	**474**	**468**	**493**	**528**	**470**	**613**	**575**	**622**	**608**
Dorchester	95	78	149	153	149	141	136	135	157	146
Somerset	35	24	42	40	42	39	63	51	93	86
Wicomico	217	197	141	163	188	171	218	227	196	187
Worcester	176	175	136	137	149	119	196	162	176	189
SECOND CIRCUIT	**614**	**604**	**631**	**628**	**691**	**672**	**683**	**644**	**774**	**757**
Caroline	74	74	65	68	82	76	101	91	79	79
Cecil	274	259	377	364	354	362	319	302	341	346
Kent	40	37	30	25	48	48	45	42	48	45
Queen Anne's	125	124	73	74	103	103	106	103	127	116
Talbot	101	110	86	97	104	83	112	106	179	171
THIRD CIRCUIT	**3,008**	**2,722**	**3,225**	**3,191**	**3,840**	**3,674**	**4,463**	**4,558**	**4,672**	**4,499**
Baltimore	2,487	2,479	2,634	2,681	3,177	3,076	3,719	3,861	3,975	3,864
Harford	521	243	591	510	663	598	744	697	697	635
FOURTH CIRCUIT	**962**	**960**	**1,029**	**1,013**	**1,087**	**1,073**	**1,231**	**1,162**	**999**	**1,010**
Allegany	347	357	371	349	406	413	439	403	266	295
Garrett	135	132	104	113	95	95	90	87	101	89
Washington	480	471	554	551	586	565	702	672	632	626
FIFTH CIRCUIT	**3,722**	**3,495**	**4,134**	**3,858**	**4,159**	**4,286**	**4,718**	**4,369**	**4,703**	**4,623**
Anne Arundel	2,652	2,560	3,107	2,805	3,043	3,155	3,468	3,246	3,508	3,458
Carroll	641	594	571	579	625	589	558	492	638	619
Howard	429	341	456	474	491	542	692	631	557	546
SIXTH CIRCUIT	**3,882**	**3,644**	**4,391**	**3,979**	**4,169**	**3,954**	**4,074**	**4,148**	**4,074**	**3,637**
Frederick	239	251	260	258	348	326	385	372	328	330
Montgomery*	3,643	3,593	4,131	3,721	3,821	3,628	3,689	3,776	3,746	3,307
SEVENTH CIRCUIT	**6,442**	**6,376**	**6,436**	**6,133**	**6,384**	**6,550**	**7,362**	**7,198**	**7,472**	**7,362**
Calvert	277	277	272	273	327	308	320	338	306	254
Charles	696	743	747	657	722	764	818	799	772	777
Prince George's	5,274	5,164	5,270	5,074	5,163	5,333	6,095	5,894	6,149	6,114
St. Mary's	195	192	147	129	172	145	129	167	245	217
EIGHTH CIRCUIT	**11,008**	**7,905**	**10,443**	**7,942**	**10,350**	**9,379**	**11,379**	**10,245**	**12,869**	**12,368**
Baltimore City	11,008	7,905	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368
STATE	**30,161**	**26,380**	**30,757**	**27,237**	**31,208**	**30,058**	**34,523**	**32,899**	**36,185**	**34,864**

*Includes juvenile causes processed at the District Court level.

TABLE CC-28

JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

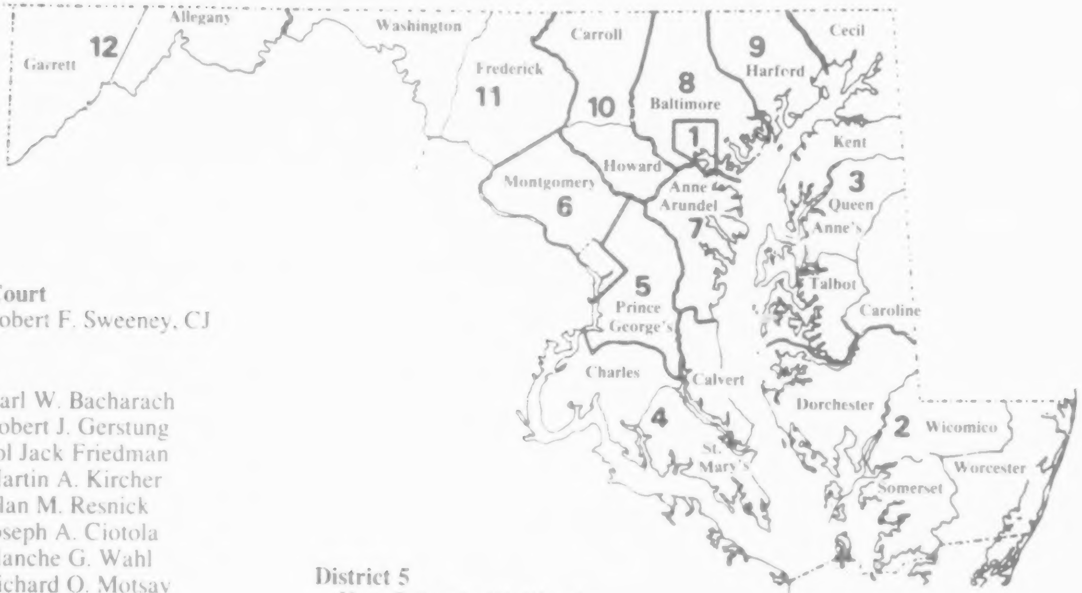
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
	Number of Cases	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	88	37	37	48.9	92.0	98.9	100.0	100.0	100.0
Somerset	59	35	19	78.0	93.2	94.9	94.9	94.9	100.0
Wicomico	130	53	35	52.3	87.7	94.6	97.7	97.7	98.5
Worcester	178	73	58	19.1	72.5	87.1	91.6	96.1	96.1
SECOND CIRCUIT									
Caroline	49	55	50	26.5	57.1	95.9	98.0	98.0	100.0
Cecil	338	75	56	16.6	65.1	89.1	92.0	94.4	96.7
Kent	28	37	37	64.3	85.7	96.4	100.0	100.0	100.0
Queen Anne's	74	55	47	24.3	75.7	97.3	97.3	97.3	98.6
Talbot	101	81	60	23.8	63.4	89.1	93.1	99.0	99.0
THIRD CIRCUIT									
Baltimore	2,248	59	48	30.7	72.2	90.8	94.9	97.6	98.6
Harford	383	78	59	22.5	58.2	90.6	94.8	97.4	98.4
FOURTH CIRCUIT									
Allegany	276	[illegible]	67	40.9	60.1	78.3	85.5	95.3	99.3
Garrett	63	38	38	55.6	79.4	95.2	98.4	100.0	100.0
Washington	363	50	43	46.6	77.7	95.0	97.5	98.6	98.9
FIFTH CIRCUIT									
Anne Arundel	1,640	87	80	9.9	33.4	82.3	94.1	97.6	99.0
Carroll	358	91	82	9.5	24.0	85.5	94.7	97.5	98.9
Howard	472	83	72	11.0	35.2	91.9	96.2	98.7	99.2
SIXTH CIRCUIT									
Frederick	182	81	70	28.0	47.3	81.3	92.3	96.7	98.9
Montgomery	1,539	171	106	13.2	29.0	63.5	77.8	88.8	92.2
SEVENTH CIRCUIT									
Calvert	208	154	81	11.5	26.9	70.2	78.4	88.0	100.0
Charles	454	66	65	6.6	44.7	97.6	99.1	99.8	100.0
Prince George's	3,068	75	71	17.4	45.6	89.2	96.3	98.8	99.3
St. Mary's	201	95	82	6.5	19.9	86.6	98.5	98.5	98.5
EIGHTH CIRCUIT									
Baltimore City	10,702	119	65	30.5	58.0	80.9	87.8	93.5	95.5
STATE	**23,202**	**101**	**66**	**24.9**	**53.3**	**83.4**	**90.5**	**95.2**	**96.8**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

The District Court

The District Court — Judiciary Map and Members
as of September 1, 1987



District Court
Hon. Robert F. Sweeney, CJ

District 1
Hon. Carl W. Bacharach
Hon. Robert J. Gerstung
Hon. Sol Jack Friedman
Hon. Martin A. Kircher
Hon. Alan M. Resnick
*Hon. Joseph A. Ciotola
Hon. Blanche G. Wahl
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. Paul A. Smith
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. John C. Themelis
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Roger W. Brown
Hon. Carol E. Smith
Hon. David W. Young
Hon. Theodore B. Oshrine
Hon. Andre M. Davis

District 2
Hon. Robert D. Horsey
*Hon. Thomas C. Groton, III
Hon. John L. Norton, III
Hon. Richard D. Warren

District 3
*Hon. Kenneth A. Wilcox
Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
Hon. James C. McKinney

District 4
Hon. Larry D. Lamson
*Hon. Robert C. Nalley
Hon. C. Clarke Raley

District 5
Hon. Sylvania W. Woods
*Hon. Graydon S. McKee, III
Hon. Francis A. Borelli
Hon. Bess B. Lavine
Hon. Theresa A. Nolan
Hon. William D. Missouri
Hon. C. Philip Nichols, Jr.
Hon. Gerard F. Devlin
Hon. Steven I. Platt
Hon. John F. Kelly, Sr.

District 6
Hon. Douglas H. Moore, Jr.
Hon. John C. Tracey
Hon. Stanley Klavan
*Hon. Thomas A. Lohm
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Cornelius J. Vaughey
Hon. Jerry H. Hyatt
Hon. Paul A. McGuckian
Vacancy

District 7
*Hon. Thomas J. Curley
Hon. George M. Taylor
Hon. Robert N. Lucke, Sr.
Hon. Donald M. Lowman
Hon. Martha G. Wyatt
Hon. Lawrence H. Rushworth

District 8
Hon. Edward D. Hardesty
Hon. Werner G. Schoeler
Hon. Gerard W. Wittstadt
Hon. John P. Rellas
Hon. William S. Baldwin
*Hon. John H. Garmer
Hon. A. Gordon Boone, Jr.
Hon. Patricia S. Pytash
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Barbara Kerr Howe
Hon. Charles E. Foos, III

District 9
*Hon. Edwin H.W. Harlan, Jr.
Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.

District 10
Hon. Donald M. Smith
*Hon. Francis M. Arnold
Hon. Diane G. Schulte
Hon. R. Russell Sadler
Hon. James N. Vaughan

District 11
Hon. Darrow Glaser
Hon. James F. Strine
*Hon. Herbert L. Rollins
Hon. Frederick J. Bower

District 12
*Hon. Paul J. Stakem
Hon. Jack R. Turney
Hon. William T. Finan

---

*District Administrative Judge

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, and replaced an existing miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded and has statewide jurisdiction. District Court judges are appointed by the Governor to ten-year terms, subject to Senate confirmation. They do not stand for election. The first Chief Judge of the District Court was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1986, there were 90 judges on the Court, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of $2,500, or both; and civil cases involving amounts not exceeding $2,500. It has concurrent jurisdiction with the circuit courts in civil cases over $2,500 to, but not exceeding, $10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

The District Court of Maryland received over four percent more motor vehicle cases in Fiscal 1987 than it did during Fiscal 1986. There were 913,589 motor vehicle filings in Fiscal 1987 compared to 873,607 in Fiscal 1986. The four largest counties and Baltimore City contributed over 63 percent of the total cases received with 583,590 cases. Montgomery County contributed the greatest number of cases with 160,008 followed by Prince George's County with 141,327 and Baltimore County with 139,162. Baltimore City and Anne Arundel County reported 79,103 and 63,990 cases, respectively. Likewise, the number of motor vehicle cases processed also increased, from 799,863 in Fiscal 1986 to 837,370 in Fiscal 1987, an increase of 4.7 percent (Table DC-6). Included in the total number of motor vehicle cases processed in Fiscal 1987 are: 248,276 tried cases; 529,952 paid cases; and 59,142 "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases (Table DC-2).

Criminal

There were 149,157 criminal filings reported for Fiscal 1987, an increase of 6.7 percent over the 139,818 filings reported in Fiscal 1986. Baltimore City contributed over 35 percent of the criminal filings reported with 52,374. Criminal dispositions also increased during Fiscal 1987, from 132,222 in Fiscal 1986 to 143,176 this year. That represents an increase of 8.3 percent (Table DC-7). Of the 143,176 criminal cases processed in Fiscal 1987, 52,037 were tried while 91,139 were untried. Over 36 percent of the criminal caseload was processed in Baltimore City. The four largest counties accounted for 39.9 percent (57,115 cases) of the total criminal workload. Prince George's and Baltimore Counties had the highest activity with 19,534 and 17,199 cases processed, respectively (Table DC-2).

Civil

An increase of 5.6 percent was reported in civil filings during Fiscal 1987. There were 580,296 civil case filings reported in Fiscal 1986 compared to 612,700 in Fiscal 1987 (Table DC-8). Landlord and tenant cases accounted for 71.9 percent (440,267) of all civil filings reported for Fiscal 1987. Contract and tort cases accounted for 24.1 percent (147,396) of the civil filings while "other" complaints, which included attachments before judgment, confessed judgments, and replevin actions, accounted for the remaining four percent. Only 7.9 percent (48,316) of the civil filings reported were contested (Table DC-2).

There were also 19,352 special proceedings received during Fiscal 1987 among which were 2,331 emergency evaluations, 4,420 domestic abuse cases and 212 child abuse cases (Table DC-10).

Trends

The District Court continued its trend of an ever-increasing workload with 1,593,246 total cases being filed or processed during Fiscal 1987—the highest number of cases reported in the Court's sixteen-year history. That figure represented a 5.3 percent increase over the caseload reported last year and it marked the third consecutive year in which increases were reported in all three categories.

With the exception of Fiscal 1984, motor vehicle dispositions have risen steadily over the past five years to the present level of 837,370. Contested motor vehicle cases have also increased. Over 27 percent (248,276) of the motor vehicle cases reported were contested or tried which represents 14,000 more contested motor vehicle cases than in Fiscal 1986 and over 35,000 more than in Fiscal 1985. Montgomery County processed more motor vehicle cases than any other jurisdiction, while Baltimore County had the highest amount of contested cases. Over 46 percent (65,435 out of 141,929) of the motor vehicle cases processed in Baltimore County were tried while 21.7 percent (31,067 out of 143,200) of the cases processed in Montgomery County were tried. Baltimore City also had a high rate of contested cases—45.8 percent (Table DC-2). A portion of this workload increase is directly related to the higher number of cases involving the drinking driver. Table DC-9 illustrates the number of Driving While Intoxicated (DWI) cases received by the District Court of Maryland over a five-year period. In Fiscal 1987, 36,832 DWI cases were filed in the District Court of Maryland—the highest amount during that period. This has also contributed to the higher volume of tried motor vehicle cases as well as demands for jury trials.

Although not as significant as motor vehicle cases, criminal filings and dispositions have also increased steadily over recent years. During Fiscal 1987, there was a 6.7 percent (9,339) increase in criminal filings over the amount reported in the previous fiscal year. Criminal dispositions increased by 8.3 percent (10,954 cases) in Fiscal 1987 (Table DC-7). Also, for the first time since Fiscal 1984, there has been a constant increase in the number of criminal cases tried. There were 49,748 criminal trials in Fiscal 1986 compared to 52,037 in Fiscal 1987, an increase of 4.6 percent. Likewise, there was a similar climb noted in cases untried, particularly with the number of jury trial prayers. Baltimore City continues to process the greatest number of criminal cases (52,619 or 36.8 percent) followed by Prince George's County with 13.6 percent and Baltimore County with 12 percent.

In the civil area, filings have shown a steady increase over the past five years, from 522,800 in Fiscal 1983 to the present level of 612,700, representing an average annual increase of 4.1 percent. The number of civil contested cases continued to show a steady increase since a significant decline was noticed several years ago. During Fiscal 1987, there were 2,600 more contested civil cases than in Fiscal 1986 and there were 687 more in Fiscal 1986 than in Fiscal 1985. Landlord and tenant cases constitute the majority of the civil filings from year to year. There were over 19,000 additional landlord and tenant filings reported in Fiscal 1987. Baltimore City and Prince George's County have the greatest number of civil filings, 34.3 percent and 24.2 percent, respectively. That is due largely to the high number of landlord and tenant filings in those jurisdictions each year. Table DC-2 provides a more detailed breakdown.

The trend for the foreseeable future in the District Court appears to be that of continuous, steady growth in all three functional categories—civil, criminal, and motor vehicle. Increasing drinking driver and landlord/tenant cases will more than likely play a major role in that growth pattern. It is expected that between 60,000 and 75,000 additional cases will be filed in the District Court of Maryland annually.

TABLE DC-1

DISTRICT COURT — CASELOAD BY FISCAL YEAR

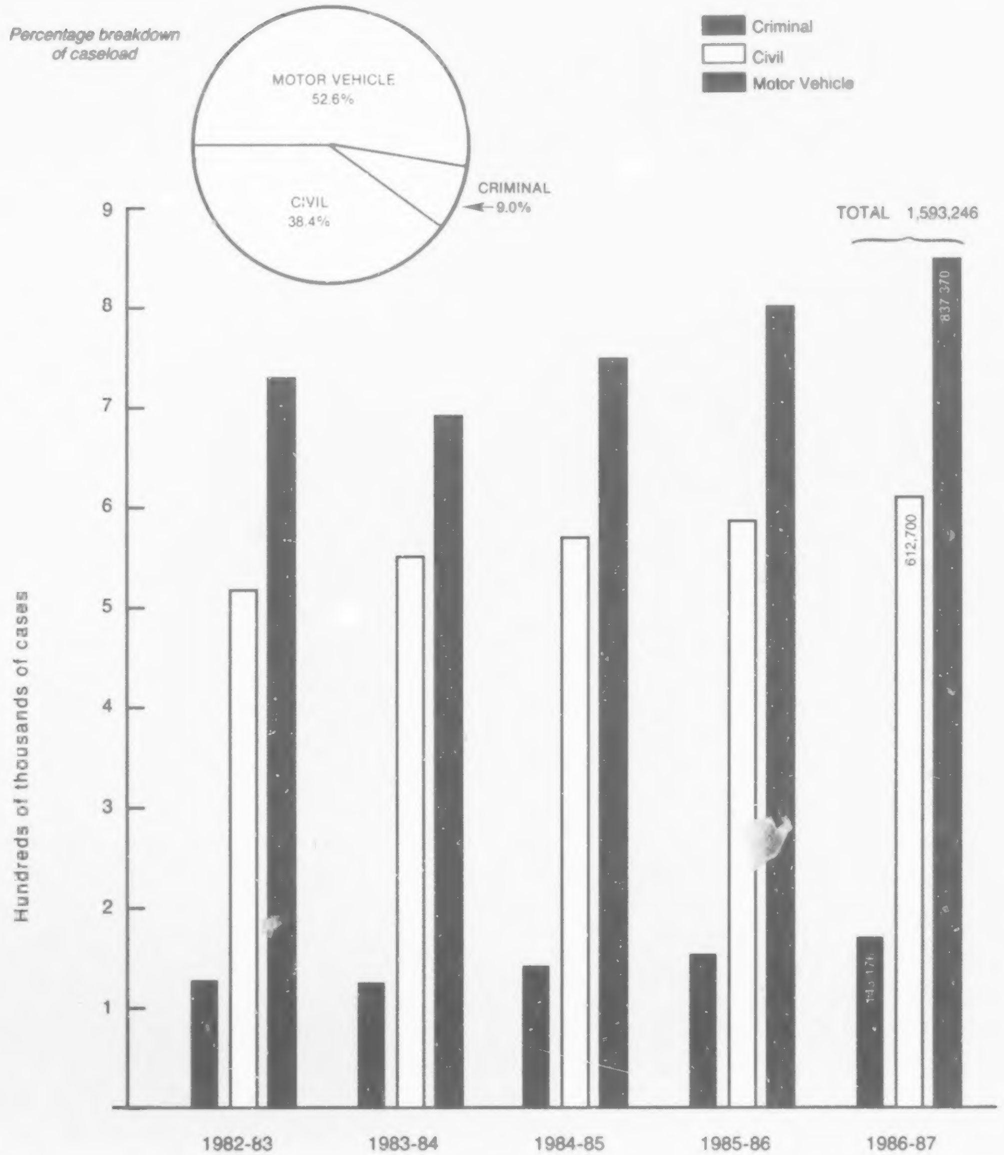


TABLE DC-2

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT					CRIMINAL CASES PROCESSED BY DISTRICT COURT	CIVIL CASES FILED IN THE DISTRICT COURT								TOTAL FILED OR PROCESSED
							Landlord and Tenant		Contract and Tort		Other Com-plaints Filed	Total			
	Cases Received	Cases Tried	Cases Paid	Other Dispo-sitions	Total Cases Processed	No. of Cases	Filed	Con-tested	Filed	Con-tested		Filed	Con-tested		
DISTRICT 1	**79,103**	**32,410**	**33,175**	**5,231**	**70,816**	**52,619**	**172,051**	**21,068**	**33,298**	**4,213**	**5,050**	**210,399**	**25,281**		**333,834**
Baltimore City	79,103	32,410	33,175	5,231	70,816	52,619	172,051	21,068	33,298	4,213	5,050	210,399	25,281		333,834
DISTRICT 2	**58,266**	**7,372**	**40,980**	**3,366**	**51,718**	**6,919**	**5,932**	**982**	**6,680**	**561**	**1,107**	**13,719**	**1,543**		**72,356**
Dorchester	9,841	1,951	6,579	477	9,007	1,118	759	230	1,386	96	166	2,311	396		12,436
Somerset	5,620	531	4,199	167	4,897	601	123	21	593	69	190	906	90		6,404
Wicomico	19,697	1,729	15,400	916	18,045	1,976	4,647	638	3,002	182	439	8,088	820		28,109
Worcester	23,108	3,161	14,802	1,806	19,769	3,224	403	93	1,699	214	312	2,414	307		25,407
DISTRICT 3	**52,940**	**8,922**	**38,332**	**2,247**	**49,501**	**5,056**	**1,630**	**393**	**5,521**	**368**	**1,068**	**8,219**	**761**		**62,776**
Caroline	5,612	912	4,050	294	5,256	921	267	58	743	30	142	1,152	88		7,329
Cecil	29,252	4,391	21,614	1,075	27,080	2,122	714	236	1,854	161	438	3,006	397		32,208
Kent	3,138	602	2,220	164	2,986	512	103	32	1,062	11	246	1,411	43		4,909
Queen Anne's	7,059	1,295	4,858	481	6,634	580	203	16	1,050	44	147	1,400	60		8,614
Talbot	7,879	1,722	5,590	233	7,545	921	343	51	812	122	95	1,250	173		9,716
DISTRICT 4	**34,596**	**7,607**	**19,998**	**4,376**	**31,981**	**5,068**	**2,804**	**317**	**4,792**	**327**	**1,054**	**8,650**	**644**		**45,699**
Calvert	9,190	3,630	4,652	544	8,826	1,140	137	27	1,232	95	325	1,694	122		11,600
Charles	15,546	2,668	9,621	1,426	13,715	2,543	1,521	88	2,365	135	392	4,278	223		20,536
St Mary's	9,860	1,309	5,725	2,406	9,440	1,385	1,146	202	1,195	97	337	2,678	299		13,503
DISTRICT 5	**141,327**	**31,067**	**79,637**	**10,986**	**121,690**	**19,534**	**112,724**	**6,688**	**29,510**	**1,296**	**6,022**	**148,256**	**7,984**		**289,480**
Prince George's	141,327	31,067	79,637	10,986	121,690	19,534	112,724	6,688	29,510	1,296	6,022	148,256	7,984		289,480
DISTRICT 6	**160,008**	**31,067**	**102,327**	**9,806**	**143,200**	**9,507**	**33,605**	**604**	**19,692**	**2,122**	**2,645**	**55,942**	**2,726**		**208,649**
Montgomery	160,008	31,067	102,327	9,806	143,200	9,507	33,605	604	19,692	2,122	2,645	55,942	2,726		208,649
DISTRICT 7	**63,990**	**23,868**	**28,376**	**3,571**	**55,815**	**10,875**	**19,027**	**1,129**	**10,462**	**710**	**1,706**	**31,195**	**1,839**		**97,885**
Anne Arundel	63,990	23,868	28,376	3,571	55,815	10,875	19,027	1,129	10,462	710	1,706	31,195	1,839		97,885
DISTRICT 8	**139,162**	**65,435**	**68,980**	**7,514**	**141,929**	**17,199**	**75,207**	**2,435**	**18,578**	**2,006**	**3,356**	**97,141**	**4,441**		**256,269**
Baltimore	139,162	65,435	68,980	7,514	141,929	17,199	75,207	2,435	18,578	2,006	3,356	97,141	4,441		256,269
DISTRICT 9	**35,738**	**9,488**	**20,157**	**2,126**	**31,771**	**2,892**	**5,256**	**416**	**3,750**	**207**	**659**	**9,665**	**623**		**44,328**
Harford	35,738	9,488	20,157	2,126	31,771	2,892	5,256	416	3,750	207	659	9,665	623		44,328
DISTRICT 10	**70,863**	**18,353**	**42,159**	**4,830**	**65,342**	**5,359**	**6,653**	**438**	**6,141**	**661**	**1,013**	**13,807**	**1,099**		**84,508**
Carroll	17,471	4,382	9,988	1,558	15,928	2,021	925	90	2,013	138	370	3,308	228		21,257
Howard	53,392	13,971	32,171	3,272	49,414	3,338	5,728	348	4,128	523	643	10,499	871		63,251
DISTRICT 11	**58,696**	**9,527**	**42,845**	**4,247**	**56,619**	**5,555**	**4,975**	**635**	**6,811**	**420**	**1,131**	**12,917**	**1,055**		**75,091**
Frederick	36,260	6,442	25,851	2,459	34,752	2,500	2,450	222	3,133	255	470	6,053	477		43,305
Washington	22,436	3,085	16,994	1,788	21,867	3,055	2,525	413	3,678	165	661	6,864	578		31,786
DISTRICT 12	**18,900**	**3,160**	**12,986**	**842**	**16,988**	**2,593**	**403**	**54**	**2,161**	**266**	**226**	**2,790**	**320**		**22,371**
Allegany	12,309	1,983	8,328	693	11,004	1,903	339	23	1,489	208	155	1,983	231		14,890
Garrett	6,591	1,177	4,658	149	5,984	690	64	31	672	58	71	807	102		7,481
STATE	913,589	248,276	529,952	59,142	837,370	143,176	440,267	35,159	147,396	13,157	25,037	612,700	48,316		1,593,246

TABLE DC-3

FIVE-YEAR COMPARATIVE TABLE MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	317,645	317,274	330,641	320,613	333,834
DISTRICT 2					
Dorchester	6,653	8,324	9,257	10,365	12,436
Somerset	6,381	6,114	6,026	5,977	6,404
Wicomico	24,590	25,122	25,060	25,901	28,109
Worcester	16,528	16,716	16,790	19,506	25,407
DISTRICT 3					
Caroline	4,353	5,298	9,053	6,701	7,329
Cecil	30,882	28,145	33,197	34,975	32,208
Kent	4,089	4,046	4,938	4,298	4,909
Queen Anne's	9,097	8,145	7,667	9,557	8,614
Talbot	8,976	8,171	9,988	9,928	9,716
DISTRICT 4					
Calvert	10,452	10,339	9,438	9,623	11,660
Charles	13,986	17,782	16,406	18,236	20,536
St. Mary's	9,974	8,675	11,251	11,886	13,503
DISTRICT 5					
Prince George's	279,523	260,429	246,377	270,378	289,480
DISTRICT 6					
Montgomery	178,752	174,031	195,906	211,692	208,649
DISTRICT 7					
Anne Arundel	77,230	87,925	97,685	97,212	97,885
DISTRICT 8					
Baltimore	194,513	203,471	226,227	239,099	256,269
DISTRICT 9					
Harford	37,735	38,235	38,954	40,325	44,328
DISTRICT 10					
Carroll	15,215	14,542	18,387	19,223	21,257
Howard	48,645	46,960	46,120	58,514	63,251
DISTRICT 11					
Frederick	32,432	33,508	36,787	39,127	43,305
Washington	27,473	26,695	29,181	28,748	31,786
DISTRICT 12					
Allegany	13,998	13,440	14,027	13,039	14,890
Garrett	5,568	6,219	8,086	7,458	7,481
STATE	**1,374,690**	**1,369,606**	**1,447,449**	**1,512,381**	**1,593,246**

TABLE DC-4

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE[a] AS OF JUNE 30, 1987

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Number of Judges	Population Per Judge[b]	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	32,826	9,148	3,079	2,288	14,515
DISTRICT 2						
Dorchester	1	30,200	2,311	9,007	1,118	12,436
Somerset	1	18,200	906	4,897	601	6,404
Wicomico	1	70,700	8,088	18,045	1,976	28,109
Worcester	1	36,100	2,414	19,769	3,224	25,407
DISTRICT 3						
Caroline	1	24,400	1,152	5,256	921	7,329
Cecil	2	34,750	1,503	13,540	1,061	16,104
Kent	1	16,900	1,411	2,986	512	4,909
Queen Anne's	1	29,900	1,400	6,634	580	8,614
Talbot	1	27,200	1,250	7,545	921	9,716
DISTRICT 4						
Calvert	1	43,000	1,694	8,826	1,140	11,660
Charles	1	89,700	4,278	13,715	2,543	20,536
St. Mary's	1	69,900	2,678	9,440	1,385	13,503
DISTRICT 5						
Prince George's	10	67,550	14,826	12,169	1,954	28,949
DISTRICT 6						
Montgomery	8[c]	79,675	6,993	17,900	1,189	26,082
DISTRICT 7						
Anne Arundel	6	68,250	5,199	9,303	1,813	16,315
DISTRICT 8						
Baltimore	12	57,800	8,095	11,827	1,434	21,356
DISTRICT 9						
Harford	3	50,434	3,222	10,590	964	14,776
DISTRICT 10						
Carroll	2	55,300	1,654	7,964	1,011	10,629
Howard	3	48,000	3,500	16,471	1,113	21,084
DISTRICT 11						
Frederick	2	66,900	3,027	17,376	1,250	21,653
Washington	2	56,650	3,432	10,934	1,528	15,894
DISTRICT 12						
Allegany	2	38,350	992	5,502	952	7,446
Garrett	1	27,400	807	5,984	690	7,481
STATE	**87**	**51,194**	**7,043**	**9,625**	**1,646**	**18,314**

[a] Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1987.

[b] Population estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

[c] Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-5

CASES FILED OR PROCESSED IN THE DISTRICT COURT PER THOUSAND POPULATION

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	755,000	279	94	70	443
DISTRICT 2					
Dorchester	30,200	77	298	37	412
Somerset	18,200	50	269	33	352
Wicomico	70,700	114	255	28	397
Worcester	36,100	67	548	90	705
DISTRICT 3					
Caroline	24,400	47	215	38	300
Cecil	69,500	43	390	31	464
Kent	16,900	84	177	31	292
Queen Anne's	29,900	47	222	20	289
Talbot	27,200	46	277	34	357
DISTRICT 4					
Calvert	43,000	39	205	27	271
Charles	89,700	48	153	29	230
St. Mary's	69,900	38	135	20	193
DISTRICT 5					
Prince George's	675,500	220	180	29	429
DISTRICT 6					
Montgomery	637,400	88	225	15	328
DISTRICT 7					
Anne Arundel	409,500	76	136	27	239
DISTRICT 8					
Baltimore	693,600	140	205	25	370
DISTRICT 9					
Harford	151,300	64	210	20	294
DISTRICT 10					
Carroll	110,600	30	144	19	193
Howard	144,000	73	343	24	440
DISTRICT 11					
Frederick	133,800	45	260	19	324
Washington	113,300	61	193	27	281
DISTRICT 12					
Allegany	76,700	26	144	25	195
Garrett	27,400	30	218	26	274
STATE	**4,453,800**	**138**	**188**	**33**	**359**

*Population estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

TABLE DC-6

FIVE-YEAR COMPARATIVE TABLE MOTOR VEHICLE CASES PROCESSED BY THE DISTRICT COURT

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	71,395	61,421	65,938	62,439	70,816
DISTRICT 2					
Dorchester	3,804	5,748	6,367	7,663	9,007
Somerset	5,198	5,011	4,804	4,602	4,897
Wicomico	18,000	18,990	17,490	18,201	18,045
Worcester	13,205	13,028	12,388	14,425	19,769
DISTRICT 3					
Caroline	2,728	3,779	7,449	4,668	5,256
Cecil	27,099	23,998	28,859	30,204	27,080
Kent	2,415	2,669	3,294	2,425	2,986
Queen Anne's	7,193	6,438	6,019	7,972	6,634
Talbot	7,070	6,632	8,236	8,019	7,545
DISTRICT 4					
Calvert	7,746	7,929	7,110	7,176	8,826
Charles	9,841	13,251	11,668	12,669	13,715
St. Mary's	7,763	6,499	8,673	8,828	9,440
DISTRICT 5					
Prince George's	134,660	114,268	104,587	113,503	121,690
DISTRICT 6					
Montgomery	125,098	115,080	133,066	148,355	143,200
DISTRICT 7					
Anne Arundel	40,314	49,594	55,735	57,193	55,815
DISTRICT 8					
Baltimore	102,715	106,617	130,113	135,422	141,929
DISTRICT 9					
Harford	27,304	26,631	27,921	29,013	31,771
DISTRICT 10					
Carroll	8,864	9,958	13,789	14,304	15,928
Howard	40,034	35,348	32,949	44,826	49,414
DISTRICT 11					
Frederick	25,942	26,550	29,229	31,776	34,752
Washington	20,434	19,364	21,374	20,425	21,867
DISTRICT 12					
Allegany	10,666	9,960	10,736	9,574	11,004
Garrett	4,217	4,807	6,718	6,181	5,984
STATE	**725,861***	**693,570**	**754,512**	**799,863**	**837,370**

* 2,156 paid cases are included in the total cases disposed: 1,429 paid cases from Dorchester and Wicomico Counties; 727 paid cases from Frederick and Washington Counties.

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED PROCESSED IN THE DISTRICT COURT

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	50,847	48,237	48,760	48,586	52,619
DISTRICT 2					
Dorchester	1,027	930	1,115	1,097	1,118
Somerset	486	497	540	582	601
Wicomico	1,841	1,680	1,618	1,995	1,976
Worcester	1,631	2,036	2,208	2,800	3,224
DISTRICT 3					
Caroline	524	498	579	808	921
Cecil	1,737	1,694	1,790	1,803	2,122
Kent	471	355	490	501	512
Queen Anne's	556	508	544	544	580
Talbot	748	535	687	708	921
DISTRICT 4					
Calvert	825	783	914	1,017	1,140
Charles	1,594	1,630	1,958	2,148	2,543
St. Mary's	953	839	741	1,037	1,385
DISTRICT 5					
Prince George's	20,912	19,866	20,020	17,292	19,534
DISTRICT 6					
Montgomery	8,020	7,776	9,519	9,762	9,507
DISTRICT 7					
Anne Arundel	8,566	7,989	8,461	9,996	10,875
DISTRICT 8					
Baltimore	14,983	17,182	15,429	17,291	17,199
DISTRICT 9					
Harford	2,487	2,842	2,560	2,742	2,892
DISTRICT 10					
Carroll	1,335	1,705	1,653	1,732	2,021
Howard	2,728	2,842	3,029	3,043	3,338
DISTRICT 11					
Frederick	1,811	2,302	2,452	2,257	2,500
Washington	1,847	1,915	2,247	2,258	3,055
DISTRICT 12					
Allegany	1,699	1,723	1,737	1,669	1,903
Garrett	557	604	603	554	690
STATE	**128,185**	**126,968**	**129,654**	**132,222**	**143,176**

TABLE DC-8

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	195,403	207,616	215,943	209,588	210,399
DISTRICT 2					
Dorchester	1,822	1,646	1,775	1,605	2,311
Somerset	697	606	682	793	906
Wicomico	4,749	4,452	5,952	5,705	8,088
Worcester	1,692	1,652	2,194	2,281	2,414
DISTRICT 3					
Caroline	1,101	1,021	1,025	1,225	1,152
Cecil	2,046	2,453	2,548	2,968	3,006
Kent	1,203	1,022	1,154	1,372	1,411
Queen Anne's	1,348	1,199	1,104	1,041	1,400
Talbot	1,158	1,004	1,065	1,201	1,250
DISTRICT 4					
Calvert	1,881	1,627	1,414	1,430	1,694
Charles	2,551	2,901	2,780	3,419	4,278
St. Mary's	1,258	1,337	1,837	2,021	2,678
DISTRICT 5					
Prince George's	123,951	126,295	121,770	139,583	148,256
DISTRICT 6					
Montgomery	45,634	51,175	53,321	53,575	55,942
DISTRICT 7					
Anne Arundel	28,350	30,342	33,489	30,023	31,195
DISTRICT 8					
Baltimore	76,815	79,672	80,685	86,386	97,141
DISTRICT 9					
Harford	7,944	8,762	8,473	8,570	9,665
DISTRICT 10					
Carroll	3,623	2,879	2,945	3,187	3,308
Howard	7,276	8,770	10,142	10,645	10,499
DISTRICT 11					
Frederick	4,679	4,656	5,106	5,094	6,053
Washington	5,192	5,416	5,560	6,065	6,864
DISTRICT 12					
Allegany	1,633	1,757	1,554	1,796	1,983
Garrett	794	808	765	723	807
STATE	**522,800**	**549,068**	**563,283**	**580,296**	**612,700**

TABLE DC-9

FIVE-YEAR COMPARATIVE TABLE DRIVING WHILE INTOXICATED CASES RECEIVED BY THE DISTRICT COURT OF MARYLAND

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-66	1986-87
DISTRICT 1					
Baltimore City	3,325	3,007	3,240	2,875	2,825
DISTRICT 2					
Dorchester	311	288	290	457	405
Somerset	222	255	228	199	162
Wicomico	892	766	577	467	522
Worcester	698	770	772	780	908
DISTRICT 3					
Caroline	123	154	164	172	194
Cecil	1,169	839	813	804	802
Kent	93	96	139	158	213
Queen Anne's	346	248	282	284	278
Talbot	482	454	439	363	306
DISTRICT 4					
Calvert	596	623	560	569	766
Charles	814	528	552	683	822
St. Mary's	588	527	573	509	488
DISTRICT 5					
Prince George's	4,459	3,960	4,081	5,128	6,466
DISTRICT 6					
Montgomery	3,656	3,414	5,364	5,301	5,117
DISTRICT 7					
Anne Arundel	2,925	2,826	3,233	3,514	5,453
DISTRICT 8					
Baltimore	4,704	4,022	4,212	4,368	4,287
DISTRICT 9					
Harford	1,242	1,012	1,070	1,350	1,283
DISTRICT 10					
Carroll	893	775	912	549	536
Howard	1,774	2,156	1,472	2,135	2,114
DISTRICT 11					
Frederick	1,007	1,040	1,054	1,091	1,266
Washington	921	638	798	768	922
DISTRICT 12					
Allegany	801	681	485	523	467
Garrett	289	215	242	255	230
STATE	**32,330**	**29,294**	**31,552**	**33,302**	**36,832**

TABLE DC-10

TWO-YEAR COMPARATIVE TABLE EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1987

	Emergency Hearings		Domestic Abuse	
	1985-86	1986-87	1985-86	1986-87
DISTRICT 1				
Baltimore City	299	400	1,890	1,848
DISTRICT 2				
Dorchester	8	20	12	21
Somerset	10	20	11	20
Wicomico	27	47	92	99
Worcester	33	34	29	24
DISTRICT 3				
Caroline	3	7	16	18
Cecil	25	42	83	68
Kent	10	8	10	6
Queen Anne's	6	7	12	27
Talbot	7	8	3	7
DISTRICT 4				
Calvert	19	19	13	11
Charles	16	22	1	3
St. Mary's	30	49	46	50
DISTRICT 5				
Prince George's	569	547	385	496
DISTRICT 6				
Montgomery	229	302	324	304
DISTRICT 7				
Anne Arundel	209	233	313	326
DISTRICT 8				
Baltimore	327	371	570	579
DISTRICT 9				
Harford	36	28	26	28
DISTRICT 10				
Carroll	24	25	45	37
Howard	56	38	100	97
DISTRICT 11				
Frederick	50	42	68	113
Washington	18	18	92	102
DISTRICT 12				
Allegany	29	33	102	88
Garrett	16	11	40	48
STATE	**2,056**	**2,331**	**4,283**	**4,420**

Judicial Administration

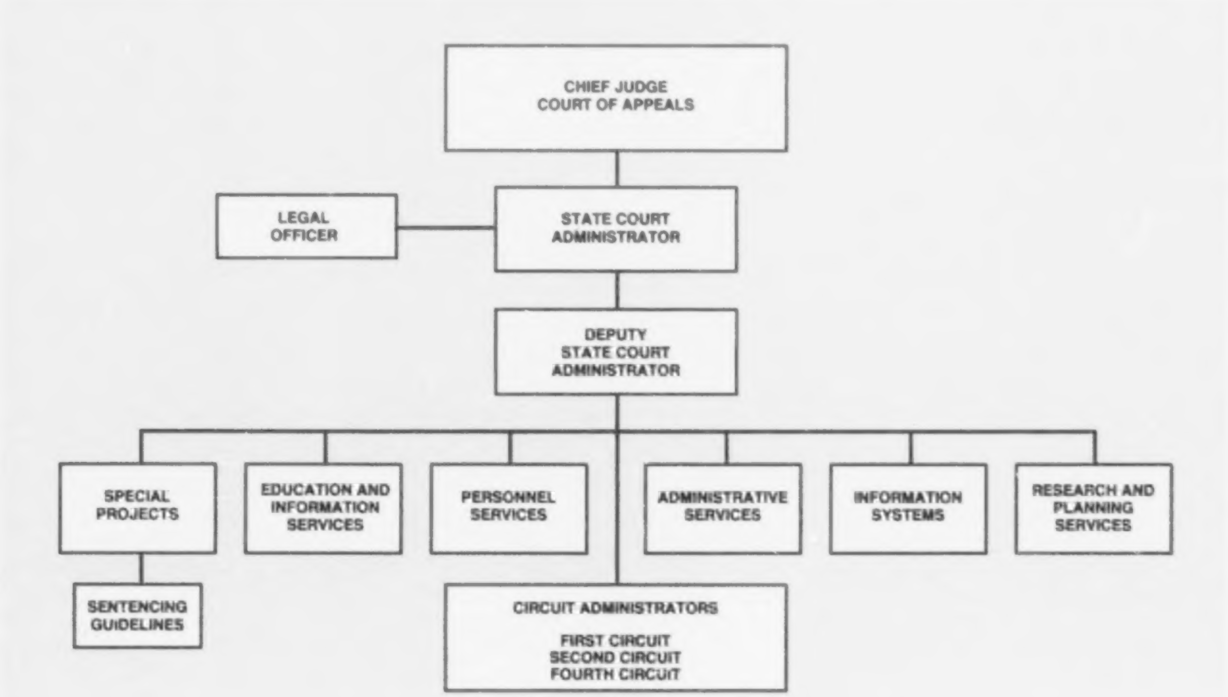
Administrative Office of the Courts

Over four decades ago, Maryland recognized the need for administrative direction to the Judicial branch when Article IV, § 18(b), of the Constitution, was ratified by the voters providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Over 30 years ago, the Maryland General Assembly took the initial steps to provide the administrative and professional staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The Administrative Office was established 37 years ago under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, with duties and responsibilities set forth in § 13-101 of the Courts Article.

The State Court Administrator and the Administrative Office of the Courts provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain activities of the Administrative Office of the Courts during the last twelve months.



Administrative Office of the Courts

Judicial Education and Information

The 1986-87 Judicial Conference year marked the fifth anniversary of the Judicial Institute of Maryland. Chief Judge Robert C. Murphy established the Institute by administrative order on August 24, 1981, recognizing "... the value of judicial education as the most effective means of enhancing the equitable and efficient administration of justice."

During 1987, the Institute offered 20 continuing judicial education courses. Ninety-two percent of the sitting trial and appellate judges selected two days of programs. Newly developed topics in 1987 were pretrial and preargument conferences, trial practicum, custody disputes, jury instruction, the right to forego treatment, substance abuse, tort litigation in the District Court, hearsay, and trends in constitutional law. These supplemented repeat offerings in medicolegal litigation, humanities, marital property, writing, child abuse, immunity, and fourth amendment. New treatments of repeated topics were applied to juvenile court and civil rights litigation.

Eight new trial judges attended the new trial judge orientation seminar. This year's program concentrated heavily on judicial procedure. The board included new topics on civil damages and victim-witness issues.

The Judicial Institute also coordinated the second Juvenile Masters Program on January 29 and 30, 1987. Juvenile masters from across the state studied juvenile sexual issues, the involvement by juveniles in alcohol and other drugs, and search and seizure law. They also used a videotaped mock trial in discussing evidentiary issues arising at trial.

The videotape lending library has expanded to over 200 titles. Besides tapes loaned to newly appointed trial judges, loan requests are also initiated by experienced jurists to supplement their formal continuing legal education. Two new mock trial videos were produced by the Judicial Institute. One trial, on a charge of conspiracy to distribute c.d.s., highlights pretrial motions, the handling of cross-jurisdictional trials, and judicial adjudication of fourth amendment questions. The other tape, a rape trial, reviews evidentiary rulings based upon exceptions to the Maryland hearsay rules.

The annual high school mock trial competition was co-sponsored by the Public Awareness Committee, the Maryland State Bar Association, the Citizenship/Law Related Education Program and the United States Department of Education.

Ninety-one teams from twenty-one jurisdictions entered the 1987 competition. This year both public and private schools competed with each one being represented in the state finals at the Court of Special Appeals on Law Day. A national bicentennial mock trial competition, including the winning teams from 30 states, was held in Washington, D.C., in late May.

Officials from Maryland Public Television agreed to rebroadcast the program series *A View from the Bench* during the summer of 1987. This program was originally aired in 1986 and was the first of its kind in the country.

Members of the Public Awareness Committee worked closely with electronic media representatives and planned a radio talk show, focusing on the courts, and a series of television spots on a commercial station.

Special Joint Committee on Gender Bias in the Courts. Chief Judge Murphy and Vincent J. Ferretti, President of the Maryland State Bar Association, announced the formation of the Special Joint Committee on Gender Bias in the Courts at a press conference on June 8, 1987. They commissioned this committee to examine if gender bias exists and if it does how it may affect decision making and the treatment of individuals in the courts. The Honorable Hilary D. Caplan will chair the Committee.

Judicial Information Systems

Fiscal Year 1987 marked growth and expansion in many areas for the Judicial Information Systems.

The new fiscal year started with the continued improvements to all aspects of both District Court and circuit court automated systems. The District Court had a new traffic system implemented after many months of programming, testing and debugging by the JIS Programming and Operations staff. This new system will greatly enhance the accuracy and timeliness of the data sent to the District Courts and the State of Maryland Motor Vehicle Administration (SMVA). In December, the entire District Court System including data files, programs, and Job Control Language (JCL) instructions, which actually run the programs, were transferred from the Annapolis Data Center (ADC) to the new Judicial Data Center (JDC) during a 48-hour time period under the constant guidance of the JIS Programming and Operations staff.

Also, during Fiscal Year 1987, the Circuit Statistics and Criminal Reporting System (CSCRS) was transferred from the ADC to the control of the JDC computer with its faster processing time of the data submitted by the circuit courts. During the year, a new and improved jury system was implemented in the eighth circuit—Circuit Court for Baltimore City—which will better facilitate the jury selection process. Also, work was begun on a complete rewrite of their criminal system which tracks offenders through the Baltimore City Circuit Court System.

An increase in the operations staff and the addition of two new groups have contributed to the growth at J.I.S. The first group to be added was the Micro Computer Support Group, whose main responsibility is the maintenance of the hardware (equipment) and support of the software (programs) for some 50 plus personal computers (P.C.'s) within the District Court and circuit court systems. In addition, the group's responsibilities also ranged from instructing in the use of the P.C.'s for word processing to Data Base Analysis. The second group was the Data Quality Control Group whose responsibility will fall in the area of maintaining the quality of data that comes from both the District Court and the circuit court.

Finally, as of June 30, 1987, the project to automate the circuit courts had reached a point where a Request for Proposal (RFP) to procure hardware and software was issued. Responses are due in mid-August 1987. The National Center for State Courts was retained to review selected court sites, evaluate the potential for automation and prepare a plan. This phase of the project began July 1986 and was completed April 1987. It included a Requirements Analysis, a Conceptual Design, an Automation Plan, and the basic detailed requirements on which to produce an RFP. The actual RFP was finalized and distributed by the cooperative efforts of the Administrative Office of the Courts and the State Comptroller's Office who are the joint sponsors of the project. The bid-selection process, the acquisition of equipment and programs, and the pilot implementation phase in two circuit courts are all to be undertaken by the end of 1987. The complete conversion is scheduled to take place over a three-year period.

Judicial Special Projects

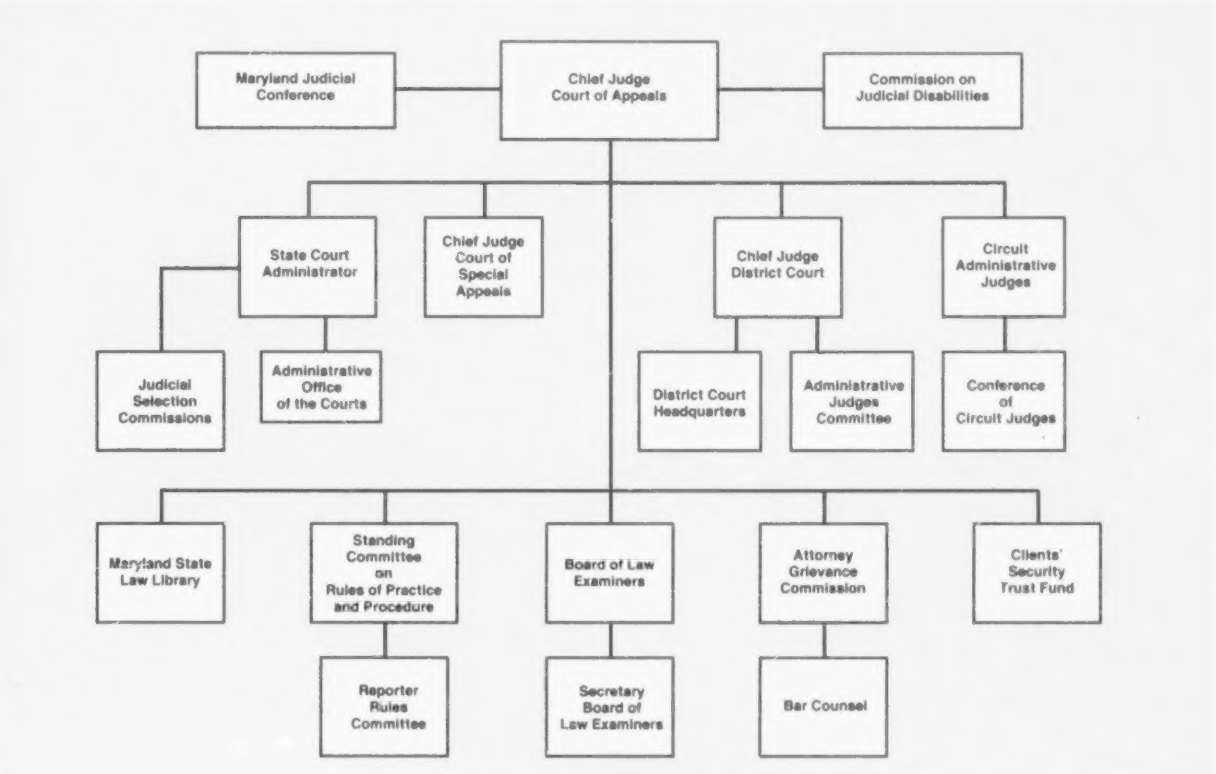
The Special Projects section meets operational needs of the State courts and the Administrative Office of the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals.

This section coordinates the Judicial Nominating Commission Orientation Conference for the new members of the nine judicial nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Additional remodeling was performed for the programming department at Judicial Information Systems located at the Maryland Automobile Insurance Fund building on Forest Drive in Annapolis. Staff was provided for the Judicial Conference Civil Committee. The *Policy and Procedures Manual* has been revised and reformatted resulting in a system of perpetual updating.

The *Annual Report of the Maryland Judiciary 1985-1986* was prepared by this unit in conjunction with the Judicial Research and Planning section.

A special study of the Sentencing Guidelines section was conducted at the request of the Chief Judge of the Court of Appeals. The result of that effort was a reorganization of the department and a merge of Sentencing Guidelines into the Special Projects section.


Maryland Judicial Conference
Chief Judge Court of Appeals
Commission on Judicial Disabilities
State Court Administrator
Chief Judge Court of Special Appeals
Chief Judge District Court
Circuit Administrative Judges
Judicial Selection Commissions
Administrative Office of the Courts
District Court Headquarters
Administrative Judges Committee
Conference of Circuit Judges
Maryland State Law Library
Standing Committee on Rules of Practice and Procedure
Board of Law Examiners
Attorney Grievance Commission
Clients' Security Trust Fund
Reporter Rules Committee
Secretary Board of Law Examiners
Bar Counsel

Administrative Organization

Judicial Research and Planning Services

Providing research and management information pertaining to the operations of the Maryland court system is one of the primary functions of the Judicial Research and Planning unit in the Administrative Office of the Courts. Among its regularly assigned duties, the unit is responsible for: the annual compilation and preparation of workload data on all court levels for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to the Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the *Sixty-Day Reserved Case Report* on all circuit courts in Maryland; the quarterly preparation of judicial workload reports; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual preparation of data and analyses found in the *AOC Equal Employment Opportunity and Affirmative Action Program*; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

Over the past several years, staff members in the unit have participated in and conducted a number of research projects at the request of the Chief Judge of the Court of Appeals and the State Court Administrator. During the fiscal year, the section assisted the State Court Administrator in the evaluation phase of a national high school essay contest involving the bicentennial celebration of the creation of the U.S. Constitution. The unit also contributed significant staff support to a special eight-member judicial committee studying District Court jury trial prayers. District Court misdemeanants now constitute more than fifty percent of the criminal caseload in the circuit courts. A full committee report is anticipated in the fall of 1987.

The unit also completed several projects to automate manual procedures in the Administrative Office of the Courts such as those involving the judicial nominating commission process. Staff was involved in the significant undertaking of typesetting the *Annual Report of the Maryland Judiciary* as well as the ballots for the election of lawyer members to appropriate Judicial Nominating Commissions. In Fiscal Year 1988, these efforts will continue along with staff support for Judicial Conference committees, the Judicial Ethics Committee, and the Appellate and Trial Courts Judicial Nominating Commissions.

Judicial Administrative Services

The Judicial Administrative Services' office prepares and monitors the annual judiciary budget, excluding the District Court of Maryland. All accounts payable for the judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the judiciary. On July 1, 1984, the accounting system was converted to the State Comptroller's data processing accounting system. As of July 1, 1986, the Administrative Office accounting system was totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal building is maintained.

Inventory controls are established for all furniture and equipment used by the judiciary, which will be an automated control system as of July 1, 1987. All inventory will have bar codes that will be recorded by an operator using a scanning device which will automatically record furniture or equipment into the system. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Unit has been involved in improvement of its human resources information management system. The improvements include the areas of wage and salary administration, performance evaluation, and applicant tracking resulting in the enlargement of its data base.

Additionally, there has been substantial involvement with technological transfer of the data elements of the automated human resources information management system in both the executive and judicial branches of State government. The enlargement of the human resource data base has materially assisted in the preparation of the personnel salary forecasting for use in preparing the annual budget estimates for the Judiciary.

The basic human resources information management system programs are resident in an IBM minicomputer system which provides a host of management reports for use by management officials of the Judiciary. A microcomputer is now being used to supplement the minicomputer to provide more timely information at the human resources work site.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of the guidelines exists in several forms. All appointees to the circuit court receive an orientation regarding the function and use of sentencing guidelines. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. An instructional videotape is available for every jurisdiction and is sent upon request. As work sheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines department, this data is added to the main file for future analysis.

The Judicial Conference has approved a new manual for sentencing guidelines based on the extensive efforts of the Sentencing Guidelines Revision Subcommittee and the Advisory Board. This revision was based on three years of sentencing data that was compiled and analyzed. While the analysis was being conducted, the department was reorganized and merged into the Special Projects section.

Liaison with the Legislative and Executive Branches

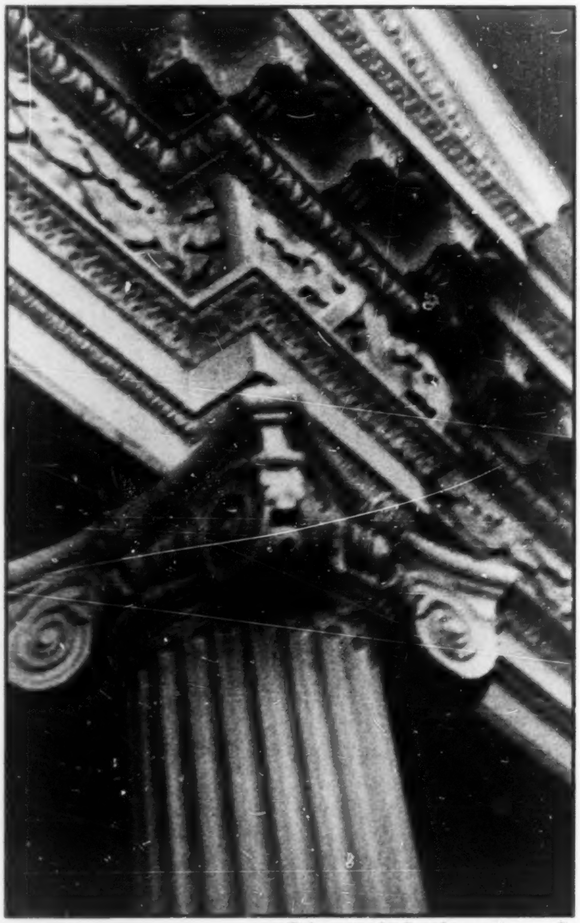
The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentaiton of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Most of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: the nature and extent of the caseload, judicial assignment, subjects addressed by the Conference of Circuit Judges, and legislation enacted in 1987 affecting the circuit courts.

In the last annual report, it was reported that the Circuit Court for Worcester County decided to add motor vehicle drivers' license lists to the voter registration list to increase the number of potential jurors that can be called upon to serve in that county. As a result of that effort, the pool has been increased approximately 62.5%. During the last fiscal year, the Circuit Court for Baltimore City undertook a study to determine what the impact would be there. No decision has yet been made.

Also, it was reported in the last report that the first step was taken to effect the manner of funding of circuit court clerks' offices. A constitutional amendment to change the funding structure was passed in early 1986 and was ratified at the November 1986 election, effective July 1, 1987. These offices are fully state-funded by state general fund appropriations, and all revenues from fees, costs, and commissions will be remitted to the State General Fund.



Column in the Statehouse, Annapolis

Further, it was reported that the circuit court clerks had endorsed a comprehensive study to assess the data processing needs of their offices. That study was completed in the last fiscal year. A final report was issued with recommendations. A state-wide automation plan has been adopted that will provide for distributive data processing in the circuit court clerks' offices phased in over time. As of this report, several proposals are being reviewed in response to a Request for Proposal to provide hardware, system software, and application software to address all the needs that the study outlined. The impact of this effort will have to be reported in the next annual report.

In terms of court facility planning, an agreement has been reached in Prince George's County to build a Prince George's County Justice Center to house the District Court, ancillary state agencies, the circuit court and justice-related county agencies. This complex will not be completed until the early 1990's.

Finally, in conjunction with the Department of Human Development at the University of Maryland, the Circuit Court for Prince George's County is sponsoring a Custody Mediation Program. This program offers the delivery of dispute resolution and family services to parents and other family members seeking judicial assistance in resolving conflicts about parental rights and responsibilities. The services are non-adversarial, impartial, and designed to aid families in making decisions regarding the care of minor children. The program has three primary goals: (1) To provide a means of mediating conflicts through active participation of the parents (and persons significant to the family) thus affording the family maximum responsibility for their own lives; (2) to provide education and consultation services to develop parenting practices; and (3) to provide information and community referrals to persons in the family.

District Court Commissioners

by the Chief Judge of the District Court of Maryland Robert F. Sweeney

Each year more than 150,000 citizens of this state are arrested and charged with the commission of a crime. The decision as to whether or not they shall be deprived of their liberty while awaiting trial, jeopardizing their employment and distressing their families, is important both to the defendant and the community as a whole. Every available statistic indicates that these important decisions are fairly made, with the maximum regard for the rights of all involved, by the 200 men and women who serve as commissioners of the District Court.

One of the more noteworthy aspects of the constitutional amendment which created the District Court of Maryland was Article IV, § 41G, which created the position of commissioner:

> "There shall be district court commissioners in the number and with the qualifications and compensation prescribed by law. Commissioners in a district shall be appointed by and serve at the pleasure of the Administrative Judge of the district, subject to the approval of the Chief Judge of the District Court. Commissioners may exercise power only with respect to warrants of arrest, or bail or collateral or other terms of pre-trial release pending hearing, or incarceration pending hearing, and then only as prescribed by law or by rule."

Prior to the creation of the District Court, the function of District Court commissioners had been performed throughout the state by committing magistrates who were, for the most part, part-time political appointees who received little or no training for the functions that they were empowered to perform. In Montgomery County, however, the committing magistrates were well-trained, adequately paid, permanent employees of the People's Court, available 24 hours a day at fixed locations, and it was after this model that the position of District Court commissioner appears to have been patterned.

Under the rules adopted by the Court of Appeals of Maryland, District Court commissioners have been classified as judicial officers, and their role in the administration of the Court—as well as in the lives of our citizens—has been greatly enhanced over that of the committing magistrates whom they succeeded. In all of Maryland's larger jurisdictions, and in several of the smaller, commissioners are on duty twenty-four hours a day, 365 days a year, at fixed locations. In the smaller jurisdictions, part-time, on-call commissioners are used, responding to police and citizens as needed. This constant availability is a great convenience to those who seek the services of a commissioner, either for the issuance of a charging document (where there is probable cause to believe that some individual has committed a violation of the criminal laws of this state) or for the equally important task of determining the conditions of pretrial release of people who have been arrested and charged with crimes.

Because their duties necessarily require them to make judgments concerning the liberty of our citizens and whether or not a citizen is to be charged with the commission of a crime, the District Court commissioners of Maryland are an important and vital cog in the administration of justice in this state. Although they work constantly with the laws of this state and the legal precepts surrounding the rights of accused persons, they are not required to be lawyers, and only a few of them are. The training that they receive, both as to law and procedures, comes, for the most part, from the efforts of a dedicated committee of District Court judges, who prepare and present an annual education program which is attended by each of the Court's 200 commissioners. That committee—the Commissioner Education Committee—also has prepared, and annually updates, a District Court Commissioner Manual, through which each commissioner can have at his finger tips the appropriate language for charging almost any violation of Maryland law.

Assignment of Judges

Under Article IV, § 18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals has authority to make temporary assignments of active judges to the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the state.

While § 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted ten years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active, full-time judges and, thus, disrupting schedules and delaying case disposition.

In Fiscal 1987, the Chief Judge assigned two active circuit court judges for temporary judicial assignments to circuit courts other than their own for a total of nine days. The Circuit Administrative Judges, pursuant to the Maryland Rules, also moved judges within their circuits. And, exchanges of judges between circuits took place where there was a need to assign judges outside the circuit to handle specific cases.

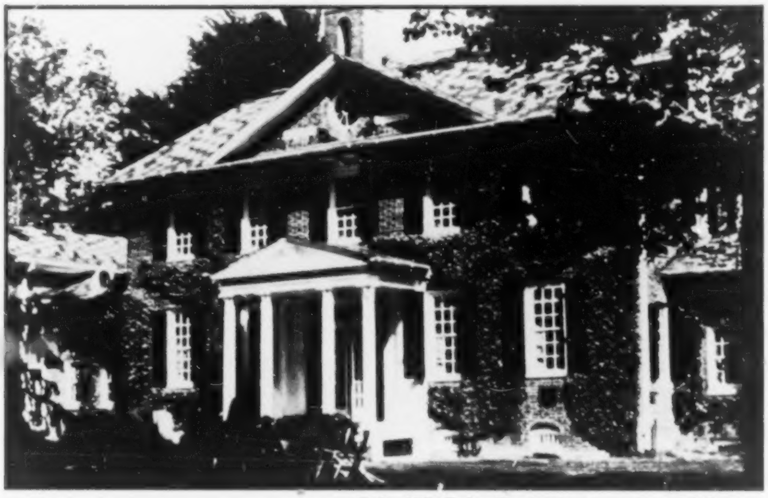
Further assistance to the circuit courts was provided by judges of the District Court in Fiscal 1987. This assistance consisted of 350 judge days. Included in that figure is 213 judge days provided to the Circuit Court for Baltimore City.

A pool of former judges eligible to be recalled significantly aided the circuit courts throughout the fiscal year. This has been particularly true in the highly successful court-ordered arbitration program utilized in two of the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money-damage suits, and some domestic disputes, have mediated settlement of many hundreds of cases without trial. The Maryland State Bar Association and a Committee of the Maryland Judicial Conference have urged that the program be expanded to other circuit courts. With additional funds appropriated by the legislature, the expansion will take place in Fiscal Year '88. In addition to this effort, the Chief Judge of the Court of Appeals, with the approval of the court, recalled eight former circuit court judges, one former appellate judge and one former District Court judge, to serve in the circuit courts for 211 judge days for the other reasons already given.

The Chief Judge of the District Court pursuant to constitutional authority, made assignments internal to that Court to address unfilled vacancies, backlog, and extended illnesses. In Fiscal 1987, these assignments totaled 469 judge days. In addition, the Chief Judge of the Court of Appeals recalled 12 former District Court judges to sit in that court totaling 517 judge days.

At the appellate level, maximum use of available judicial manpower continued in Fiscal '87. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and prehearing settlement conferences. The Chief Judge of the Court of Appeals exercised authority by designating appellate judges to sit in both appellate courts to hear specific cases. Five former appellate judges were recalled to assist both courts for a total of 209 judge days.

Finally, five judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload, particularly during the summer months.



Tulip Hill, Galesville vicinity, Anne Arundel County

Court-Related Units

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

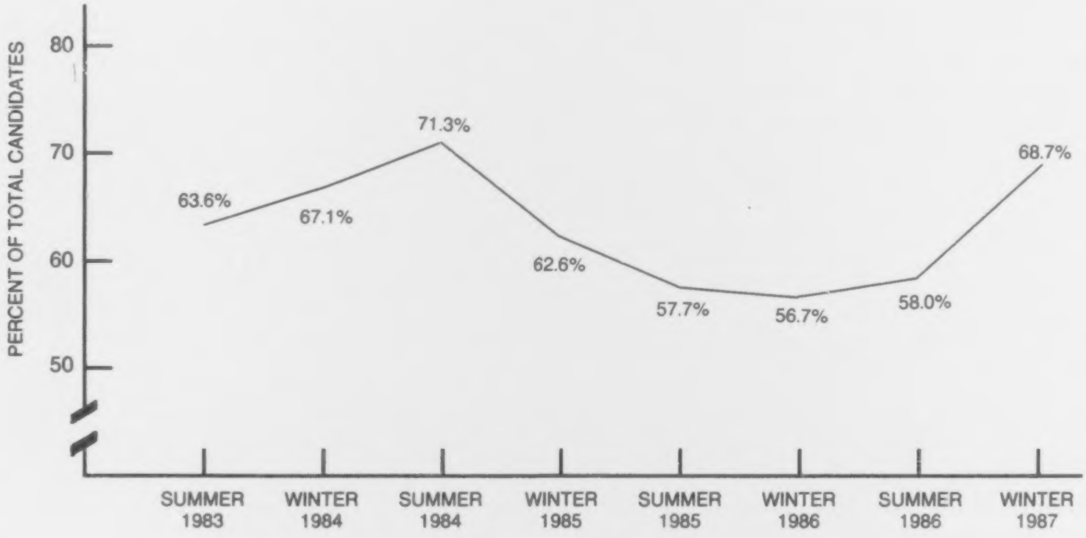
Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1987 are as follows: a total of 1151 applicants sat for the July 1986 examination with 668 (58.04 percent) obtaining a passing grade, while 645 sat for



Ratio (percent) of successful candidates to total candidates taking the bar examination the February 1987 examination with 443 (68.68 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1984, 71.28 percent and February 1985, 62.61 percent; July 1985, 57.71 percent and February 1986, 56.71 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1986, 89 applicants took the examination for the first time along with seven who had been unsuccessful on a prior examination for a total of 96 applicants. Out of this number, 92 passed. This represents a passing rate of 95.83 percent.

In February 1987, 110 new applicants took the examination for the first time along with 8 applicants who had been unsuccessful on a prior examination for a total of 118 applicants. Out of this number, 97 passed. This represents a passing rate of 82.20 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman (Member of the Baltimore City Bar)
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
John W. Sause, Jr., Esquire; Queen Anne's County Bar
Jonathan A. Azrael, Esquire; Baltimore City Bar
Pamela J. White, Esquire; Baltimore City Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1987 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1986 (July)	1,151	668 (58.04%)	944	607 (64.30%)
Graduates University of Baltimore	236	130 (55.08%)	194	119 (61.34%)
Graduates University of Maryland	209	131 (62.68%)	167	120 (71.86%)
Graduates Out-of-State Law Schools	706	407 (57.65%)	583	368 (63.12%)
WINTER 1987 (February)	645	443 (68.68%)	291	215 (73.88%)
Graduates University of Baltimore	143	110 (76.92%)	57	49 (85.96%)
Graduates University of Maryland	108	63 (58.33%)	36	24 (66.67%)
Graduates Out-of-State Law Schools	394	270 (68.53%)	198	142 (71.72%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State. Under the Code, Courts Article, § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and to submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. The Committee is currently working on Phase II of the project, which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The proposed changes were set forth in the Committee's Ninety-fifth, Ninety-sixth, and Ninety-seventh Reports.

Pursuant to the Ninety-fifth Report, the Court of Appeals adopted changes, effective July 1, 1986, to Rule 4-313. The purpose of the changes was to conform Rule 4-313 with Code, Courts and Judicial Proceedings Article, § 8-301 as amended by Acts of 1986, Ch. 656.

Courts Article, § 8-301, deals with peremptory challenges. The 1986 amendments reduced the number of peremptory challenges in criminal cases where the possible statutory sentence is 20 years or more but less than life imprisonment, from 20 to 10 for the defendant and from 10 to 5 for the State. In addition, the 1986 amendments deleted a provision applicable to "all other cases," that all defendants were considered a single party for peremptory challenge purposes.

The changes to Rule 4-313 achieved consistency with the statute by (1) limiting subsection (a)(2) to death and life imprisonment cases, (2) adding a new subsection (a)(3) to provide for cases where a statutory sentence of imprisonment for 20 years or more but less than life is possible, and (3) deleting the second sentence of subsection (a)(1), relative to treating multiple defendants as a single party. The June 25, 1986 Order of the Court of Appeals adopting the changes to Rule 4-313 was published in the *Maryland Register*, Vol. 13, Issue 15 (July 18, 1986).

After consideration of the Ninety-sixth Report, the Court adopted a new Rule S74 and certain changes to Rules 903, 913, D72, D73, and S75, and Forms 904-S and 918-O/JR.

New Rule S74 emanated from a recommendation of the Conference of Circuit Judges and applies in divorce cases where a monetary award or other relief pursuant to Code, Family Law Article, § 8-205 is at issue. The rule requires the parties to file a joint statement before trial, identifying all of the property at issue and the positions of the parties with respect to that property. The procedure is similar to the one prescribed for preparing a joint record extract, and incorporates the desired form in the body of the rule.

The changes in Rules 903, 913, D72, and D73, and to Forms 904-S and 918-O/JR were necessary to conform those rules or forms to statutory changes made by the General Assembly.

The Ninety-sixth Report was published in the *Maryland Register*, Vol. 13, Issue 21 (October 10, 1986). The Court adopted the changes to Form 904-S on an emergency basis, effective March 16, 1987. The Court adopted all other changes in the Ninety-sixth Report effective July 1, 1987. The Order of the Court of Appeals, dated March 3, 1987, was published in the *Maryland Register*, Vol. 14, Issue 7 (March 27, 1987).

In January 1987, the Committee submitted its Ninety-seventh Report to the Court. The major focus of the Report is on proposed new rules of appellate procedure, which represent the first part of Phase II of the general revision of the Maryland Rules. Basically, the current Chapter 800 and Chapter 1000 Rules have been merged into one set of rules applicable to both appellate courts, proposed Title 8. Certain conforming amendments are proposed for current Rules 1-325, 2-632, and 1225.

Other items proposed in the Ninety-seventh Report included an amendment to Rule 1299 d 6, permitting the destruction of traffic court dockets after five years under certain circumstances, and the addition of a statutory cross-reference in Rules 2-124 and 3-124.

The Ninety-seventh Report was published in the *Maryland Register*, Vol. 14, Issue 4 (February 13, 1987). The Court of Appeals held an open meeting on May 13, 1987. Because review of all of the proposed rules could not be completed in one meeting, the Ninety-seventh Report is still under consideration by the Court.

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman; Court of Special Appeals

Hon. Francis M. Arnold, District Court, Carroll County

Hon. Walter M. Baker, State Senator, Cecil County

Lowell R. Bowen, Esq., Baltimore City Bar

Professor Robert R. Bowie, Talbot County Bar

Albert D. Brault, Esq., Montgomery County Bar

Hon. Howard S. Chasanow, Circuit Court for Prince George's County

D. Warren Donohue, Esq., Montgomery County Bar

Hon. James S. Getty, Court of Special Appeals (retired)

John O. Herrmann, Esq., Baltimore City Bar

H. Thomas Howell, Esq., Baltimore City Bar

Alexander G. Jones, Esq., Somerset County Bar

Hon. Joseph H.H. Kaplan, Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq., Prince George's County Bar

Paul V. Niemeyer, Esq., Baltimore City Bar

Anne C. Ogletree, Esq., Caroline County Bar

Joseph E. Owens, Esq., Montgomery County Bar

Hon. Kenneth C. Proctor, Circuit Court for Baltimore County (retired); *Emeritus*

Linda M. Richards, Esq., Baltimore City Bar

Hon. Mary Ellen T. Rinehardt, District Court, Baltimore City

Hon. A. James Smith, Clerk, Circuit Court for Wicomico County

Melvin J. Sykes, Esq., Baltimore City Bar

Una M. Perez, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 233,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government documents and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer-assisted legal research service, Lexis.

Over the past four years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term.

Additionally, the Library has been upgrading its Maryland legislative history files and has gathered a complete collection of task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1983. Additional materials added to the collection over the past year include Attorney General opinions from every state, on microfiche, commencing in 1978 to date; and a large collection of Ph.D. dissertations and Masters theses on various law and social science topics on Maryland.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of state publication depository libraries this past year. In all, some 3413 titles have been processed on OCLC during Fiscal 1987.

Technical assistance was provided to four circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, insurance appraisal, library design, space planning, and computer-assisted legal research systems.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects. Also, the Library participated in the Field Study Program sponsored by the College of Library and Information Sciences of the University of Maryland. Two exceptional graduate students contributed 100 hours each to various library-related projects which have enhanced the effectiveness of our operations.

As a part of its public relations and information dissemination effort, the Library continued the publication of the quarterly *Recent Acquisitions of the Maryland State Law Library*.

Publications issued by the Library included a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*; an updated *Divorce Bibliography*; *DWI: Where to Find the Law in Maryland*; *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History*.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques and also appearing before genealogy societies to discuss the collections and services available from the Library.

The Library has also been active in assisting various groups in celebrating the bicentennial of the U.S. Constitution. Additionally, the Maryland Commission for Women designated the law library as the home for their Maryland Women's Hall of Fame. In conjunction with this honor, the Library has begun to assemble an exhaustive resource collection of information on all inductees into this prestigious honorary society.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m.—4:30 p.m.; Tuesday and Thursday, 8:30 a.m.—9:00 p.m.; and Saturday, 9:00 a.m.—4:00 p.m.

Summary of Library Use
Fiscal 1987

Reference inquiries	17,426
Volumes circulated to patrons	2,894
Interlibrary loan requests filled	826

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel, the principal executive officer of the disciplinary system, and supervises the activities of Bar Counsel and his staff. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, the prosecution of disciplinary proceedings, and investigation of petitions for reinstatement. In Fiscal Year 1986 an assistant bar counsel, investigator, and secretary were added to the staff. The staff now consists of Bar Counsel, five (5) assistant bar counsels, four (4) investigators, an office manager, and six (6) secretaries.

The Court of Appeals established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and Review Board to act upon disciplinary complaints. The fund is endowed by an annual assessment upon members of the bar as a condition precedent to the practice of law. No increase in attorney assessments was necessary for Fiscal Year 1988.

The Inquiry Committee consists of approximately 342 volunteers, one-third of whom are non-lawyers and two-thirds lawyers, each appointed for a four (4) year term and eligible for reappointment.

The Review Board consists of eighteen (18) persons, fifteen (15) of whom are attorneys and three (3) of whom are non-lawyers from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment. Judges are not permitted to serve as members of the Inquiry Committee or the Board.

Inventoried complaints this year were again approximately ten percent (10%) greater than Fiscal Year 1986. A greater number of open complaints, awaiting action at all levels of the system, remained at the end of Fiscal Year 1987 than at the end of Fiscal Year 1986. Unnecessary delays in processing complaints is a goal addressed monthly by the Commission in its examination of staff reports and spot checks.

The number of lawyers disbarred this past fiscal year was nineteen (19) compared to twenty (20) in Fiscal Year 1986. Bar Counsel continues to devote his personal efforts to more complex cases as well as his administrative functions.

The Commission provides financial support to the Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program prove helpful in avoiding more serious disciplinary problems.

Summary of Disciplinary Action

	1982 -83	1983 -84	1984 -85	1985 -86	1986 -87
Inquiries Received (No Misconduct)	1,052	903	988	1,028	1,119
Complaints Received (Prima Facie Misconduct Indicated)	280	364	295	369	412
Totals	**1,332**	**1,267**	**1,283**	**1,397**	**1,531**
Complaints Concluded	269	315	319	285	373
Disciplinary Action Taken by No. of Attorneys:					
Disbarred	11	5	8	7	11
Disbarred by Consent	5	7	3	13	8
Suspension	3	7	11	12	12
Public Reprimand	3	4	3	6	3
Private Reprimand	8	13	7	9	14
Placed on Inactive Status	0	1	2	1	3
Dismissed by Court	3	7	7	2	6
Petitions for Reinstatement Granted	0	1	2	0	2
Petitions for Reinstatement Denied	0	0	0	0	2
Resignation	0	0	0	0	1
Resignation w/Prejudice	0	0	1	0	0
Total No. of Attorneys	**33**	**45**	**44**	**50**	**62**

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary subjects in the *Maryland Bar Journal*, continuing legal education seminars, radio and press interviews, bar association meetings, continuing professional education courses, telephone inquiries from lawyers and lay persons, and appearances before court-related agencies. The Commission maintains a toll-free number for incoming calls from anywhere within Maryland for the convenience of complainants and for volunteers who serve in the system.

Efforts continue to inform attorneys and clients of sources of disciplinary complaints. Increasing awareness of problem areas in the practice should reduce unintended infractions of disciplinary rules. The increase in the total number of inquiries and complaints is attributed to an increasing number of lawyers admitted to practice.

The Maryland Rules of Professional Conduct were effective January 1, 1987. To date, no cases involving a violation of these rules have been brought before the Court of Appeals of Maryland.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twenty-first year on July 1, 1986, with a fund balance of $1,262,497.54, as compared to a fund balance of $1,129,955.85 for July 1, 1985.

The Fund ended its twenty-first year on June 30, 1987, with a fund balance of $1,245,995.71 as compared to a fund balance for the year ending June 30, 1986, of $1,262,497.54.

At their meeting of August 14, 1986, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1987: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During the fiscal year July 1, 1986 through June 30, 1987, the trustees met on four occasions and during the fiscal year, the trustees paid claims amounting to $212,099.53. There are thirty-five (35) pending claims with a current liability exposure approximating $1,062,450.00. These claims are in the process of investigation.

During the fiscal year ending June 30, 1987, the Fund derived the sum of $151,974.00 from assessments, as compared with the sum of $137,086.00 for the preceding fiscal year.

On June 30, 1987, the end of the current fiscal year, there were 17,101 lawyers subject to annual assessments. Of this number, 157 attorneys have failed to pay.

In accordance with the Maryland Rules of Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State after certain procedural steps have been taken by the trustees.

Architectural drawing, interior of the Maryland Statehouse rotunda

Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 219 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

At its first meeting in July 1986, the Executive Committee elected the Honorable Robert C. Nalley, Administrative Judge of District Four of the District Court, as its chairman, and the Honorable John J. Bishop, Jr., Associate Judge, Court of Special Appeals, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1987 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-second Annual Meeting of the Maryland Judicial Conference was held on April 23 and 24, 1987, in Ocean City, Maryland, at the Sheraton Fontainebleau Inn and Spa.

Reports of the Conference committees were presented at the business meeting. Of the two reports requiring action, one was submitted by the Committee on Mental Health, Alcoholism and Addiction with the Honorable George J. Helinski, Chair, leading the discussion on a resolution proposed by the Committee and adopted by the Conference. The other report was submitted by the Maryland Sentencing Guidelines Committee on the revisions to the guidelines as explained by the Honorable Howard S. Chasanow, Chair of the Revision Committee. The motion to approve the revisions was adopted.

A resolution was unanimously adopted that, in order to implement the recommendation of the Conference of Chief Justices, all judges in the State on Thursday, September 17, 1987, would simultaneously, in every court, deliver brief prepared remarks in open court in acknowledgment of the Bicentennial of the signing of the Constitution of the United States in Philadelphia.

On the second day, a panel composed of George D. Solter, Esq., former member of the ABA Committee on Professional Responsibility and former Chairman of the Attorney Grievance Commission; Melvin Hirshman, Esq., Bar Counsel, Attorney Grievance Commission; and Richard B. Vincent, Director of Lawyer Counseling of the Maryland State Bar Association, discussed "Judicial Response to Lawyers' Misconduct."

Philip G. Dantes, Chairman, Parole Commission, spoke on the Parole Board Considerations, while Dr. Isaiah M. Zimmerman followed with a presentation on Judicial Stress.

American Inns of Court was the topic of Professor Sherman L. Cohn of Georgetown Law Center.

In the afternoon, judges participated in group discussions of recent Maryland appellate decisions. They selected from among six small group sessions on different cases involving: landlord and tenant, sentencing, tort liability of contractors and architects, interference with economic relations, *Terry* stops, and past recollection recorded and present sense impressions.

A resolution was adopted by the Conference noting that Chief Judge Robert C. Murphy had completed 20 years of judicial service, first as Chief Judge of the Court of Special Appeals and then as Chief Judge of the Court of Appeals and that his efforts devoted to the improvement of the judiciary are unprecedented in the memory of members of the Conference and they expressed their appreciation and wished him many years of additional judicial service.

Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1987, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

The Conference:

1. Endorses Discovery Guidelines.

The Conference met with representatives of a special committee of the Maryland State Bar Association which had drawn up Discovery Guidelines for use in the circuit courts. The Guidelines are not intended to suggest that judges should be involved early in discovery but for the primary purpose of getting attorneys to work out their problems without initial court involvement. The Conference endorsed the Guidelines by taking the position, first, that the Guidelines are reasonable standards for the conduct of discovery, and second, that judges should consider them presumptively proper and apply them as a benchmark when discovery problems come before them.

2. Endorses Study on the Impact of Increased Number of Prayers for Jury Trials from the District Court.

In view of alarming statistics on the percentage of the total criminal docket that is comprised of prayers for jury trials from the District Court which reflect an adverse impact on the expeditious disposition of criminal cases at the circuit court, the Conference endorsed the formation of a committee to undertake a comprehensive examination of this entire issue with a possible view towards legislation to remedy the situation.

3. Supports Legislation.

The Conference expressed its support for and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. The Conference of Circuit Judges recommended repeal of a section of the Health Claims Arbitration Act which mandates that members of the general public who are to serve as part of a panel of arbitrators in health care malpractice claims, be selected from current jury panel lists. The Conference expressed a concern over the burden that this would place on subdivisions to supply this information and a further concern that in addition to jury lists, telephone numbers are to be attached. The Conference also sought legislation that would make it a crime to issue a bad check to the circuit court, require the assessment of jury costs in civil cases, and that indexing of land records may be part of the recordation statute. Judicial

Chesapeake Bay Map by Charles Mason and Jeremiah Dixon

Conference legislation supported by the Conference is reported in the section of this report entitled *1987 Legislation Affecting the Courts.*

4. Continued Communication with Department Officials.

The Conference met with representatives of the Department of Human Resources responsible for administering the Maryland Legal Services Program. Concern was expressed by the Department over the wide range of fees ordered by the courts in guardianship and adoption cases in which the State was a party. Under State law, if the State becomes a party to a particular proceeding involving guardianship or adoption, the State pays attorneys' fees. The Department sought the Conference's support for reducing the wide disparity and suggested that perhaps a maximum be established. The Conference agreed and recommended that a maximum of up to $75 per hour be allowed in these types of cases.

5. Urges Rule Changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals that amend certain Maryland Rules. One such proposal dealt with Rule W74b concerning the location of foreclosure sales. The Conference is particularly concerned that some attorneys have been conducting sales in private offices or inside the courthouse corridors. The Conference recommended that Rule be amended to require the location of a sale to be either outside the courthouse, on the foreclosed premises, or some other location approved by court order.

Another proposal was submitted to the State-Federal Judicial Council and concerned the removal of cases to the Federal courts. The issue raised by the Council was that incomplete files are being received by the Federal court at the time of removal. Further, it appears that in bankruptcy proceedings the appropriate State court has not been notified of the pending proceeding. The Conference recommended to the Federal court that it amend its local rules to require the removing attorney to certify that the file is complete at the time the attorney files a removal, and second that the debtor's attorney include a schedule of State proceedings and a certification that notification to the appropriate State court has been made.

6. Express Concerns Over Inordinate Delay in Evaluations for Competency and Criminal Responsibility by the Department of Health and Mental Hygiene.

The Conference expressed continued concern about inordinate delays in obtaining court-ordered evaluations for competency and criminal responsibility. The Conference wants steps taken to reduce the delay and will be meeting with Department officials within the next several months.

Administrative Judges Committee of the District Court

by the Chief Judge of the District Court of Maryland Robert F. Sweeney

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1987, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Revisions to certain preset fines in motor vehicle cases, particularly those relating to the operation of trucks and tractor trailers;

(2) An increase to $2.00 per page for the preparation of transcripts, and requiring a minimum deposit of $50.00 when such a transcript is ordered;

(3) Successfully advocating the passage of legislation which permits a bench warrant to issue simultaneously with the suspension of the defendant's license, when the defendant fails to appear for a violation of the motor vehicle laws punishable by incarceration; and

(4) Reviewed and made recommendations to the General Assembly on twenty other bills having effect on the operation and administration of the District Court.

Additionally, the Committee appeared as a body before the Senate Budget and Taxation Committee considering the District Court budget, in support of a request for a substantial increase in the number of permanent, nonjudicial positions allotted to the Court. The Committee was highly successful in this regard.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971, and since then, each judicial vacancy filled pursuant to the governor's appointing power has been filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective January 29, 1987, each of the nine commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During Fiscal 1987, 15 vacancies occurred. This compares to 24 vacancies in Fiscal 1986. The Appellate Judicial Nominating Commission met three times during Fiscal 1987. The Second, Third, and Fourth Circuits each met once. The First, Sixth, Seventh, and Eighth Circuits met twice. The Sixth Circuit also met a third time to consider candidates to fill two vacancies pending on the District Court for Fiscal 1988.

The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

All three vacancies on the Appellate Courts were filled by judges from the lower courts.

All five of the circuit court vacancies were filled during the fiscal year. Two appointments were from the District Court bench and two appointments were from the private bar. The remaining appointment was from the public sector.

Four of the seven District Court vacancies were filled during Fiscal 1987. Of those filled, two appointments were from the private bar and two were from the public sector.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1979 to Fiscal 1987

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1979	Vacancies	1	1	7	11	20[a]
	Applicants	4	25	38	67	134
	Nominees	4	6	18	31	59
FY 1980	Vacancies	1	0	13	11	25[b]
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13[c]
	Applicants	0	0	30[d]	69[d]	99[d]
	Nominees	0	0	6[d]	24[d]	30[d]
FY 1982	Vacancies	1	1	12	11	25[e]
	Applicants	5	7	96[d]	142[d]	250[d]
	Nominees	4	4	26[d]	30[d]	64[d]
FY 1983	Vacancies	0	4	8	5	17[f]
	Applicants	0	32	74[d]	70[d]	176[d]
	Nominees	0	16	17[d]	22[d]	55[d]
FY 1984	Vacancies	0	2	12	10	24[g]
	Applicants	0	27	91[d]	195[d]	313[d]
	Nominees	0	12	29[d]	37[d]	78[d]
FY 1985	Vacancies	1	1	9	7	18[h]
	Applicants	3	5	79[d]	122[d]	209[d]
	Nominees	3	3	24[d]	34[d]	64[d]
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69[d]	125[d]	199[d]
	Nominees	0	4	22[d]	34[d]	60[d]
FY 1987	Vacancies	2	1	5	7	15[j]
	Applicants	11	6	31[d]	102[d]	150[d]
	Nominees	7	4	13[d]	19[d,i]	43[d]

[a] In Fiscal 1979, two additional vacancies occurred during the fiscal year, but were not filled until FY 80.

[b] In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

[c] In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

[d] Because of the pooling arrangements available under the Executive Order during the past seven fiscal years, the number of applicants and nominees in these years may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

[e] Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

[f] Five vacancies that occurred in FY 83 were not filled until FY 84.

[g] Six vacancies that occurred in FY 84 were not filled until FY 85.

[h] Two vacancies that occurred in FY 85 were not filled until FY 86.

[i] A meeting for one District Court vacancy was not held until FY 88.

[j] Three vacancies that occurred in FY 87 were not filled until FY 88.

Judicial Nominating Commissions

as of September 1, 1987

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Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime..."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the changes against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While the majority of these complaints do not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-one formal complaints—of which two were initiated by the Commission itself, six by practicing attorneys and the remainder by either private individuals or members of some public interest group. Several complaints were directed against more than one judge and sometimes a single judge was the subject of numerous complaints. At times, several persons filed a joint complaint. In all, nine judges sitting at the District Court level, two Orphans' Court judges and twenty-five circuit court judges were the subjects of complaints.

As in previous years, litigation over domestic matters (divorce, alimony, custody) precipitated the most complaints (8), criminal cases accounted for seven and the remainder resulted from ordinary civil litigation or the alleged improper demeanor of some jurist. No formal record is kept of either the innumerable telephone discussions and consultations or the written complaints summarily dismissed for lack of jurisdiction.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, two complaints were dismissed because the judges involved retired. Several judges were requested to defend charges against them and one formal hearing was held. In most instances, however, the complaints were subsequently dismissed either because the charges leveled were never substantiated or because, the Commission eventually concluded, the conduct did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of informal discussion with the jurist involved. Several matters remain currently pending.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential informatiom concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members, who serve without remuneration, are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

Paca House, Annapolis

1987 Legislation Affecting the Courts

1987 Legislation Affecting the Courts

During its 1987 session, the General Assembly enacted laws covering a broad range of subjects. Highly publicized legislation included reforms to workmen's compensation law and the creation of a tax amnesty program. Two long-standing controversies were resolved by the passage of bills repealing Sunday blue laws throughout much of the state and permitting nonprofit organizations to operate slot machines in certain counties. Summarized below are some of the laws directly affecting the courts. Information about other laws of similar import is available through the Administrative Office of the Courts.

1. Judicial Conference Legislation

Trustees—Schedules of Commissions—Chapter 162. Requires trustees who administer estates under the jurisdiction of courts to file with the trust clerks certain schedules of increased rates of income and corpus commissions. Specifies that this filing does not affect the applicability of the schedules.

Health Claims Arbitration—Jury Lists—Chapter 666. Requires jury commissioners or clerks of court to send jury lists to the Health Claims Arbitration Office only if the Director of the office determines the lists are needed, rather than each term. Also deletes the requirement for telephone numbers to be included.

Interceptions of Wire or Oral Communications—Chapter 163. Requires the State Prosecutor to file certain reports on wiretap orders. Clarifies the time when judges must report on applications and orders for interceptions.

Criminal Cases—Trial Dates—Chapter 222. Clarifies the provisions for scheduling criminal trials in the circuit courts and conforms the statute to the Rules.

District Court Judgeships—Chapter 208. Creates one judgeship in Montgomery County.

2. Court Administration

Court Clerks—Funding. By constitutional amendment effective July 1, 1987, the offices of the court clerks are funded through the state budget and the fees, etc., collected by the clerks are state revenues.

Tenant Evictions—Chapter 408. During extreme weather conditions, allows a district administrative judge to stay implemention of warrants for repossession on a day-to-day basis.

Real Property—Releases—Chapter 656. Allows a clerk of court to receive, index, and record certain cancelled checks and affidavits as a release of a mortgage or deed of trust, following a specified waiting period.

District Court Commissioners—Chapter 269. Authorizes a supervising commissioner of the District Court of a multi-county district to perform the duties of commissioner within any county of that district.

3. Criminal Law and Procedure

Death Penalty—Chapter 600. Includes, as an aggravating circumstance in death penalty cases, the murder of a law enforcement officer while the officer is employed privately as a security guard or special police if the officer is wearing a uniform or prominently displaying a badge or other insignia.

Death Penalty—Chapter 626. Precludes imposition of the death penalty on a person who was under the age of 18 at the time of the murder.

Death Penalty—Chapter 418. Establishes new judicial procedures for determining the sanity of inmates under sentence of death.

First Degree Murder—Chapter 693. Authorizes a sentence of life imprisonment without possibility of parole in certain first degree murder cases.

Criminal Conspiracies--Chapter 161. Makes the statute of limitations for a conspiracy the same as that for the offense upon which the conspiracy is based.

District Court—Criminal Jurisdiction—Chapter 439. Gives the District Court concurrent jurisdiction over credit card offenses, whether felony or misdemeanor. Also clarifies that the District and circuit courts have concurrent jurisdiction over bad check cases.

4. Civil Law and Procedure

Immunity from Liability. In separate bills, the General Assembly provided immunity, with certain exceptions, for the following classes of people: volunteer coaches, managers, program leaders, assistants, and other officials of community recreation programs (Chapter 601); volunteers in connection with services for charitable organizations (Chapters 750 and 751); physicians and volunteers for health care services at medical clinics of charitable organizations (Chapter 620); and agents of tax-exempt athletic clubs, community associations, and homeowners associations carrying specified insurance coverage (Chapter 694).

District Courts—Jurisdictional Amounts—Chapter 314. Increases, to $2,500, the jurisdictional amount of small claims and landlord/tenant actions in the District Court. Also increases, to $2,500, the amount that determines whether an appeal is heard *de novo* or on the record.

Statute of Limitations. The General Assembly passed several laws concerning the statutes of limitations for particular types of actions. These will affect medical malpractice actions involving claimants who are minors (Chapter 592); actions arising from occupational diseases caused by toxic substances (Chapter 624); and wrongful death actions based on occupational diseases (Chapter 629).

Local Governments—Chapter 594. Creates a Local Government Tort Claims Act.

Class Actions—Chapter 613. Allows proposed class members to aggregate their claims in order to meet the requirements for the minimum amount in controversy.

Mortgages and Deeds of Trust—Chapter 374. Repeals the requirement for a bill in equity to release a lien for certain mortgages and deeds of trust.

Foreign Judgments—Chapter 497. Enacts a uniform enforcement of foreign judgments act.

Medical Injury Awards—Modification and Remittitur—Chapter 596. Provides for waiver of arbitration. Requires arbitration panels and triers of fact to itemize, separately, future and current damages for medical expenses, rehabilitation costs, and loss of earnings. Requires modification based on certain collateral payments or reserves for future damages.

5. Juvenile and Family Law

Support Arrearages. Chapter 315 requires interception of State lottery prizes, in excess of $600, due to obligors with arrearages for child, spousal, or parental support. Chapter 151 bases certification of obligors to the Comptroller, for purposes of withholding income tax refunds, on arrearages of $150 rather than 60 days. Chapter 150 authorizes a court, upon petition, to issue an order withholding earnings of an obligor who is more than 30 days in arrears on payments of child or spousal support.

Juvenile Cases—Restitution—Chapter 344. Broadens the bases for judgments of restitution in delinquency cases. Specifies that the judgment may be against both the child and parents. Allows governmental entities and third-party payors to receive restitution.

Adoption—Foster Parents—Chapter 625. Requires that the permanency plan for foster children follow priorities for placement and adoption. Priority is given to foster parents. Provides for hearings to contest other placements.

Independent Adoption—Chapter 279. Alters provisions governing independent adoptions without parental consent to make the provisions applicable only when consent is withheld affirmatively and to reduce the time during which the child has been out of custody of the parent and the time in which the custodian has had the child.

Foster Care Placement—Chapter 696. Prohibits committing a child to a local department of social services or in foster care solely because the parent or guardian lacks shelter. Provides for regulations and referrals to shelter care.

6. Motor Vehicle Law

Drivers License Compact—Chapter 320. Allows Maryland to be a party to a Drivers License Compact and, *inter alia*, provides for judicial review under the Compact.

Driving While Intoxicated—Chapter 509. Alters penalties for a third or subsequent offense of driving while intoxicated.

MARYLAND STATE HOUSE
BUILT 1772 - 1779
CAPITOL OF THE UNITED STATES
NOVEMBER 26, 1783 - AUGUST 13, 1784
IN THIS STATE HOUSE, OLDEST IN THE NATION STILL IN LEGISLATIVE USE, GENERAL GEORGE WASHINGTON RESIGNED HIS COMMISSION BEFORE THE CONTINENTAL CONGRESS DECEMBER 23, 1783. HERE, JANUARY 14, 1784, CONGRESS RATIFIED THE TREATY OF PARIS TO END THE REVOLUTIONARY WAR AND, MAY 7, 1784, APPOINTED THOMAS JEFFERSON MINISTER PLENIPOTENTIARY. FROM HERE, SEPTEMBER 14, 1786, THE ANNAPOLIS CONVENTION ISSUED THE CALL TO THE STATES THAT LED TO THE CONSTITUTIONAL CONVENTION.
A REGISTERED NATIONAL HISTORIC LANDMARK
MARYLAND HISTORICAL SOCIETY

Sign outside the Maryland Statehouse in Annapolis

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Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:
   - Department of Personnel
   - County Commissioner
   - Department of Taxation and Assessments
   - Employment Security
   - Funeral Director
   - Liquor License Commissioners
   - Physical Therapy
   - State Comptroller (Sales Tax, etc.)
   - State Motor Vehicle Authority
   - Supervisors of Elections
   - Workmen's Compensation Commission
   - Zoning Appeals
   - Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts
Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1986 to June 30, 1987.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

  Examples of Hearings in Criminal

  Arraignment
  Discovery motion
  Guilty plea
  Motion to quash
  Motion to dismiss
  Motion for change of venue
  Motion to continue
  Motion to suppress
  Motion to sever
  Nolo contendere
  Not guilty with agreed statement of facts
  Sentence modifications
  Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Civil

  Motion to compel an answer to an interrogatory
  Motion ne recipiatur
  Motion for judgment by default
  Demurrer
  Motion for summary judgment
  Motion to vacate, open, or modify confession of judgment
  Preliminary motions presented in court, including motions for continuance
  Determination of alimony pendente lite, temporary custody, etc., in a divorce case
  Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Juvenile

  Preliminary motions presented in court
  Arraignment or preliminary inquiry
  Detention (if after filing of petition)
  Merits or adjudication
  Disposition
  Restitution
  Waiver
  Review
  Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:
- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as "Disposition."

Trials
- **Criminal**

  Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

  Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.
- **Civil**

  Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

  Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.

Administrative Office of the Courts
Courts of Appeal Building
Annapolis, Maryland 21401
301/974-2141

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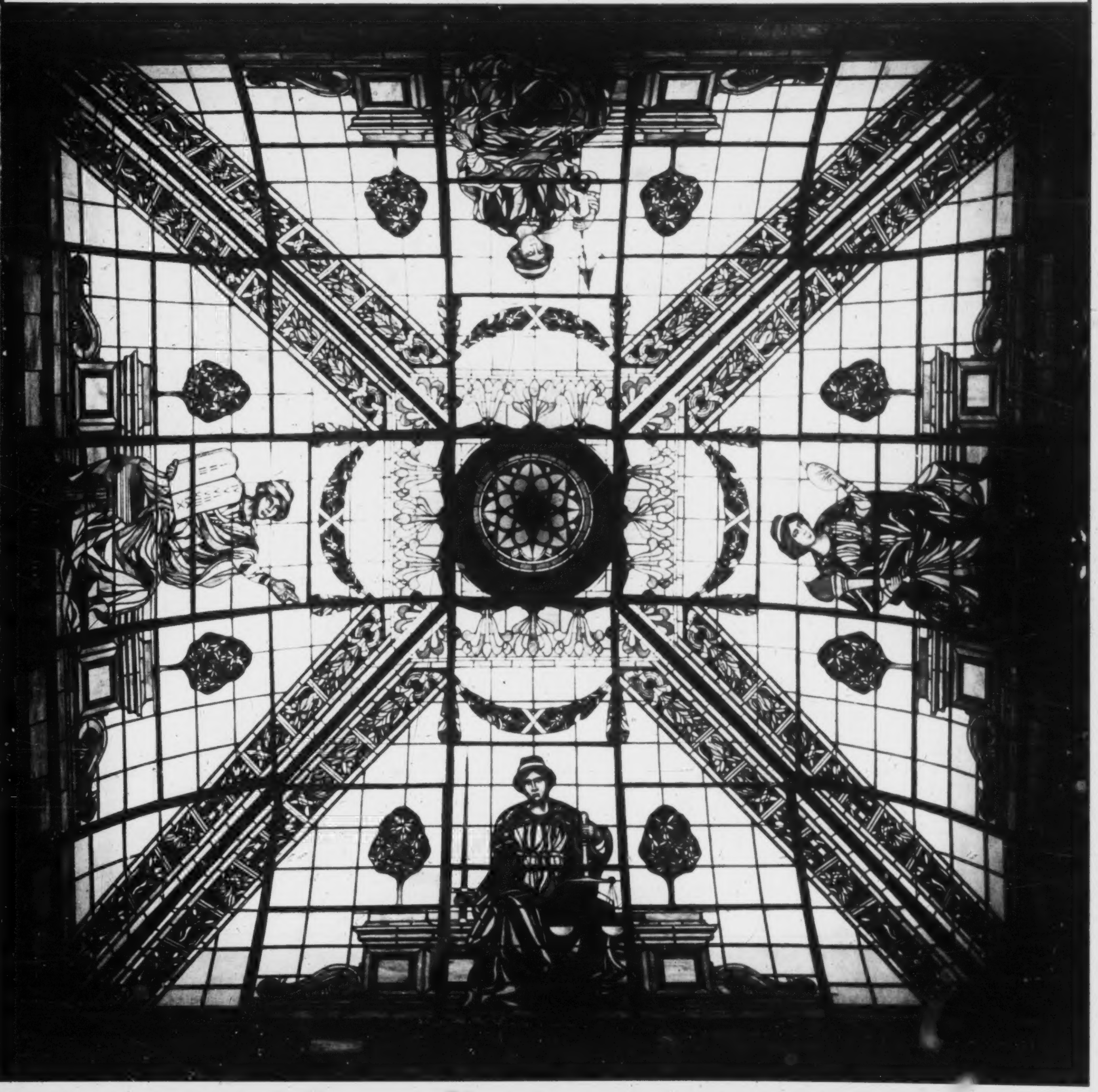
ANNUAL REPORT
OF THE
MARYLAND JUDICIARY

1987-1988



S3600-1

ANNUAL REPORT
OF THE
MARYLAND JUDICIARY
1987-1988

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141

COVER: Restored Stained Glass Dome,
Clarence M. Mitchell, Jr., Courthouse, Baltimore

Report prepared by the
Administrative Office of the Courts
Michael V. O'Malley
Peter J. Lally
Faye Gaskin
Norma P. Gainer

Photographs: Courtesy of Maryland Department of Economic and
Employment Development—Office of Tourism Development

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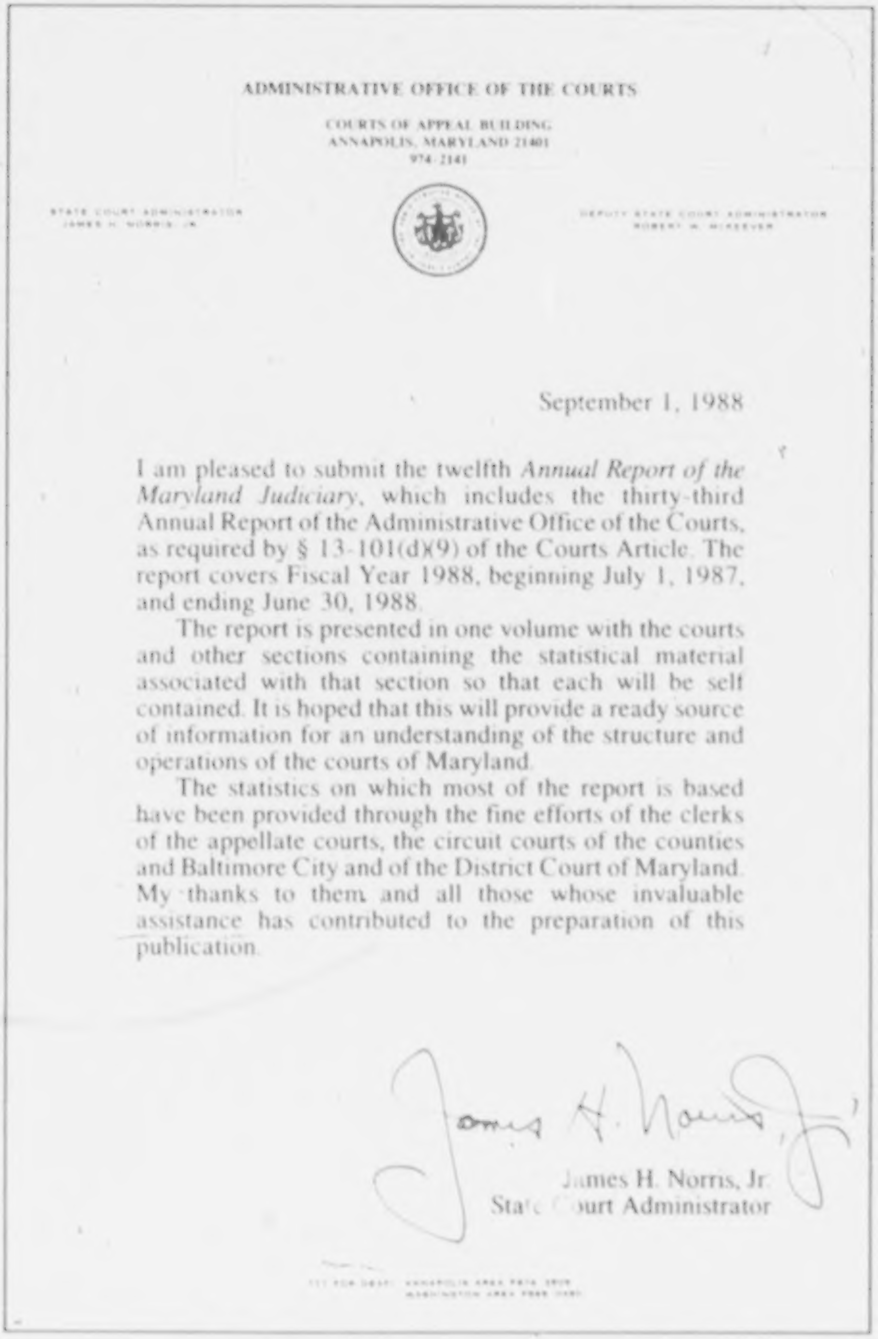
Letter of Transmittal



ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.

DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. MCKEEVER

September 1, 1988

I am pleased to submit the twelfth *Annual Report of the Maryland Judiciary*, which includes the thirty-third Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1988, beginning July 1, 1987, and ending June 30, 1988.

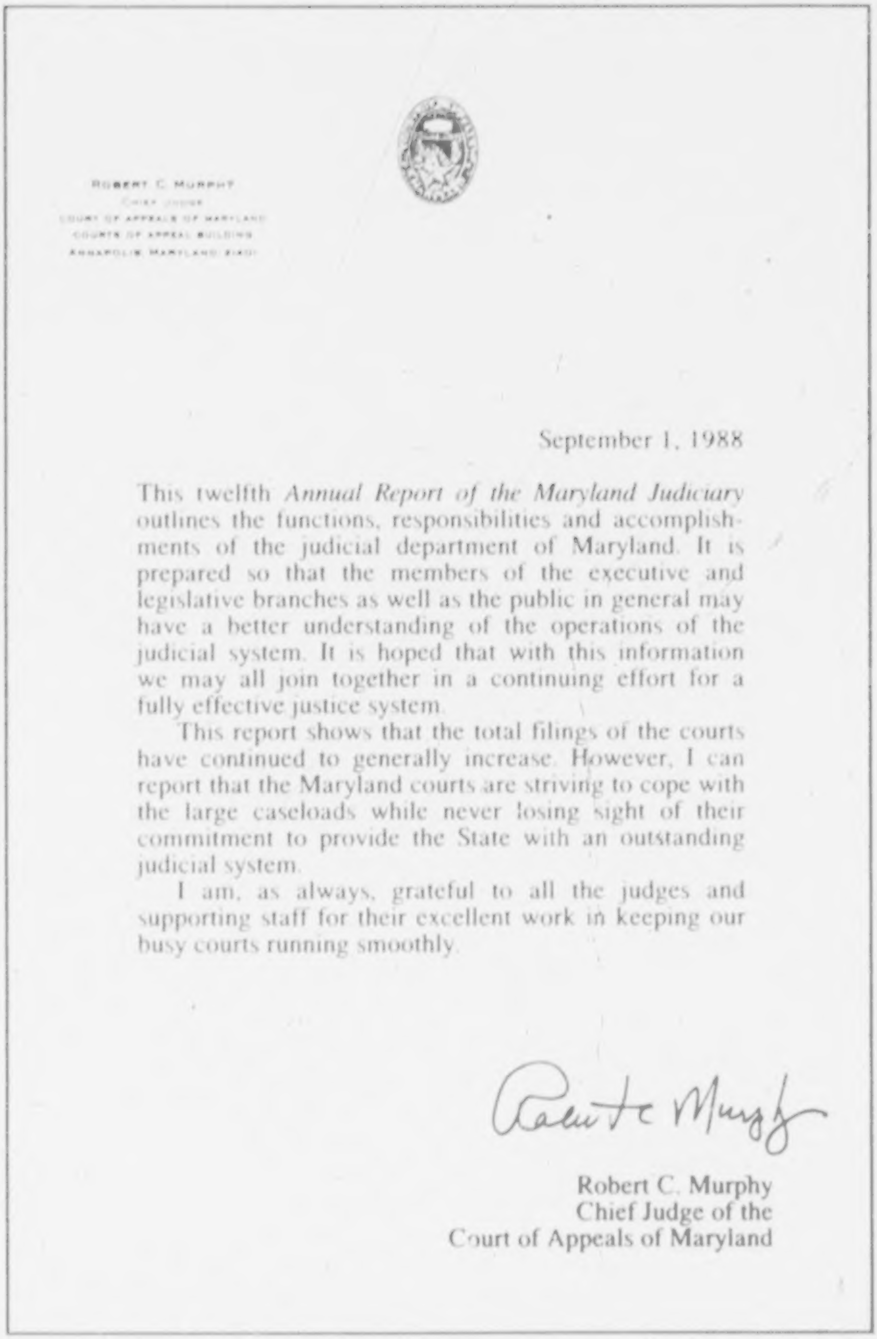
The report is presented in one volume with the courts and other sections containing the statistical material associated with that section so that each will be self contained. It is hoped that this will provide a ready source of information for an understanding of the structure and operations of the courts of Maryland.

The statistics on which most of the report is based have been provided through the fine efforts of the clerks of the appellate courts, the circuit courts of the counties and Baltimore City and of the District Court of Maryland. My thanks to them and all those whose invaluable assistance has contributed to the preparation of this publication.

James H. Norris, Jr.

James H. Norris, Jr.
State Court Administrator

Introduction



Robert C. Murphy
Chief Judge
Court of Appeals of Maryland
Courts of Appeal Building
Annapolis, Maryland 21401

September 1, 1988

This twelfth *Annual Report of the Maryland Judiciary* outlines the functions, responsibilities and accomplishments of the judicial department of Maryland. It is prepared so that the members of the executive and legislative branches as well as the public in general may have a better understanding of the operations of the judicial system. It is hoped that with this information we may all join together in a continuing effort for a fully effective justice system.

This report shows that the total filings of the courts have continued to generally increase. However, I can report that the Maryland courts are striving to cope with the large caseloads while never losing sight of their commitment to provide the State with an outstanding judicial system.

I am, as always, grateful to all the judges and supporting staff for their excellent work in keeping our busy courts running smoothly.

Robert C Murphy

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately $135,130,000 in Fiscal 1988. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 220 judicial positions as of June 30, 1988, and approximately 3,116 nonjudicial positions in the judicial branch.

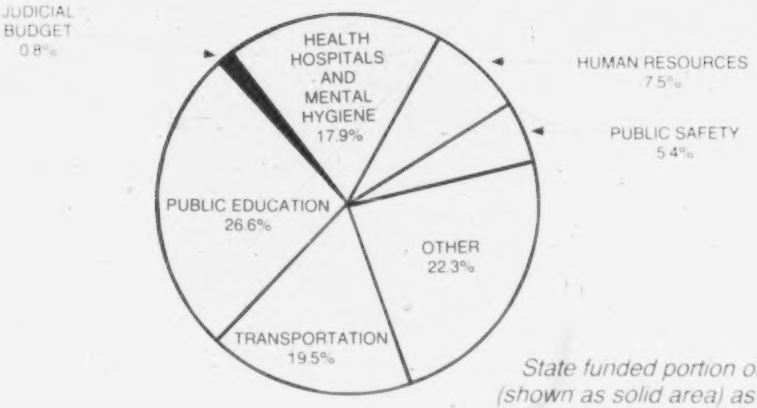
The state-funded judiciary budget operates on a program budget and expended $73,491,658 in the twelve-month period ending June 30, 1988. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended $46,690,338, but brought in general revenue of $47,790,429 in Fiscal 1988. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs provide funds for the Administrative

Judicial Branch Personnel in Profile

Judicial Personnel	220
Nonjudicial Personnel	
Court of Appeals	30
Court of Special Appeals	57
District Court	1,099
Administrative Office of the Courts	137
Court-Related Offices (Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, and State Reporter)	25
Circuit Courts	2
Clerks' Offices—Circuit Courts	1,056
Circuit Courts—Local Funding	710
Total	3,336*

*Includes permanent and contractual positions.

Sailing on the Chesapeake Bay



State funded portion of judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1988

State Funded Judicial Budget

Revenues*

Program	Actual FY 1986	Actual FY 1987	Actual FY 1988
Court of Appeals	$ 57,102	$ 69,218	$ 68,930
Court of Special Appeals	65,324	64,766	66,587
State Board of Law Examiners	377,754	393,303	399,104
District Court	41,479,118	43,267,460	47,790,429
TOTAL	$41,979,298	$43,794,747	$48,325,050

* Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

Program	Actual FY 1986	Actual FY 1987	Actual FY 1988
Court of Appeals	$ 1,708,294	$ 1,916,858	$ 1,968,524
Court of Special Appeals	3,049,788	3,501,379	3,531,353
Circuit Courts	11,263,461	12,215,344	13,082,276
District Court	37,684,750	40,945,123	46,690,338
Maryland Judicial Conference	77,167	84,495	70,876
Administrative Office of the Courts	1,427,058	1,555,808	1,487,506
Court-Related Agencies	664,168	736,830	730,141
Maryland State Law Library	426,214	468,759	503,723
Judicial Data Processing	5,766,217	5,535,969	5,426,921
TOTAL	$52,938,118	$66,960,565	$73,491,658

* Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

Office of the Courts, the Maryland State Law Library, Judicial Data Processing, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the Judicial budget.

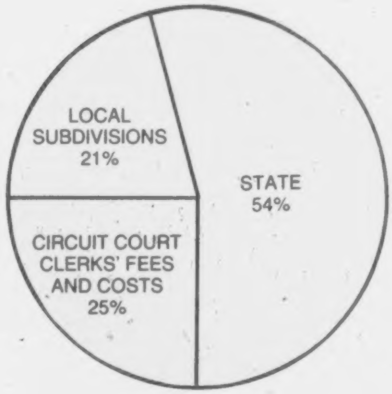
The figures and the tables show the state-funded judicial revenue and expenditures for Fiscal 1988. The court-related revenue of almost $48.4 million is remitted to the State's general fund and cannot be used to offset expenditures.

The total state budget was $9 billion in Fiscal 1988. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire State budget, approximately 0.8 of one percent.

Effective July 1, 1987, operating costs for the clerks' offices of the circuit courts are paid from State appropriations. Prior to that date, they were paid from filing fees, court costs, commissions, and a deficiency fund paid by the State. This is no longer the case. All court-related revenue collected by these offices is now remitted to the State general fund and cannot be used to offset expenditures. Expenses for Fiscal 1988 were $33,238,815.

Other circuit courts are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1988, the appropriations by the local subdivisions were approximately $28.4 million. Court-related revenues collected by the circuit courts from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions for various purposes, primarily for the support of the local court library..

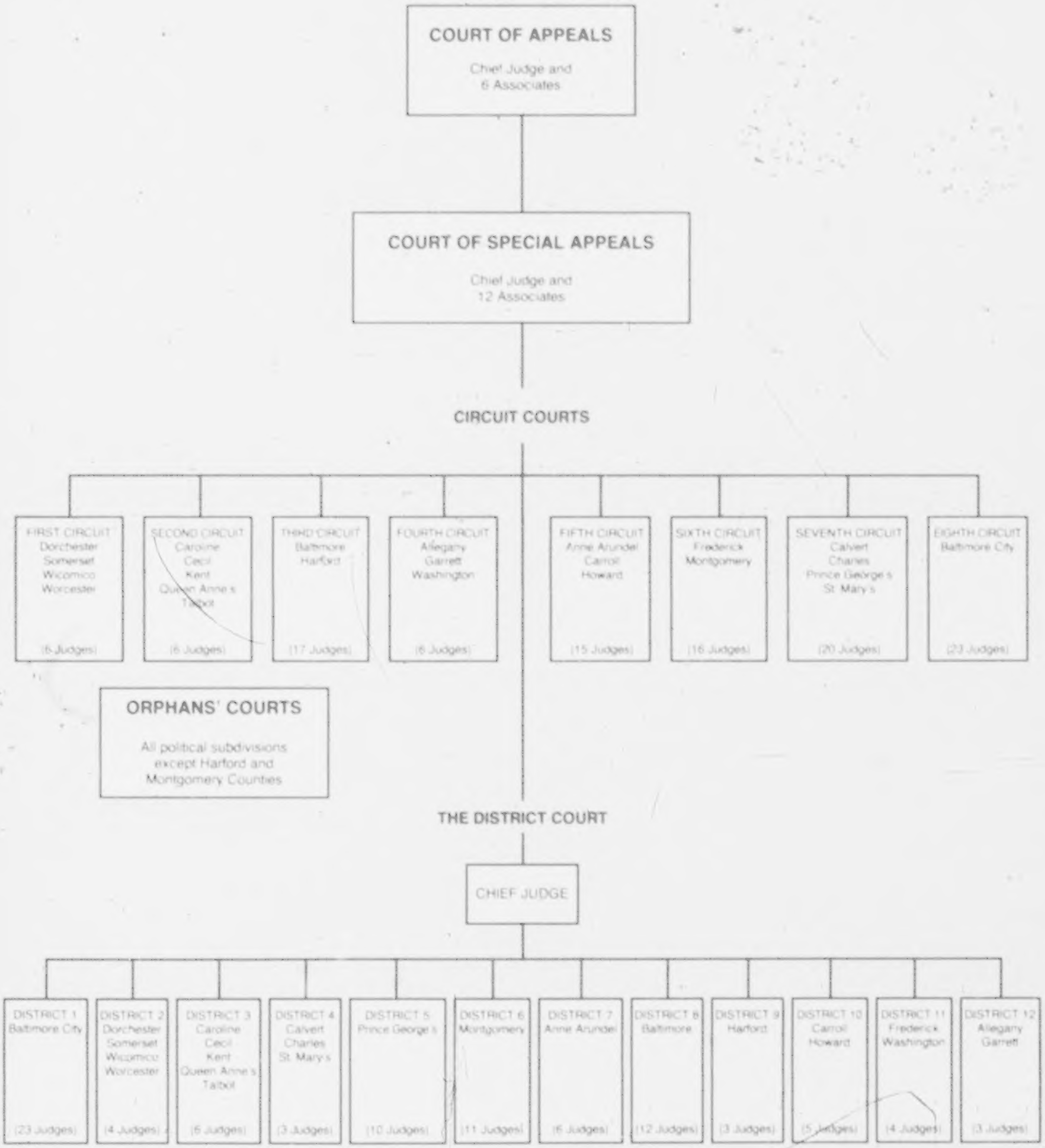
The chart, illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, shows that the State portion accounts for approximately 54% of all costs, while the local subdivisions and the clerks' offices account for 21% and 25%, respectively.



Source of funding to support the judicial branch of government

The Maryland Courts

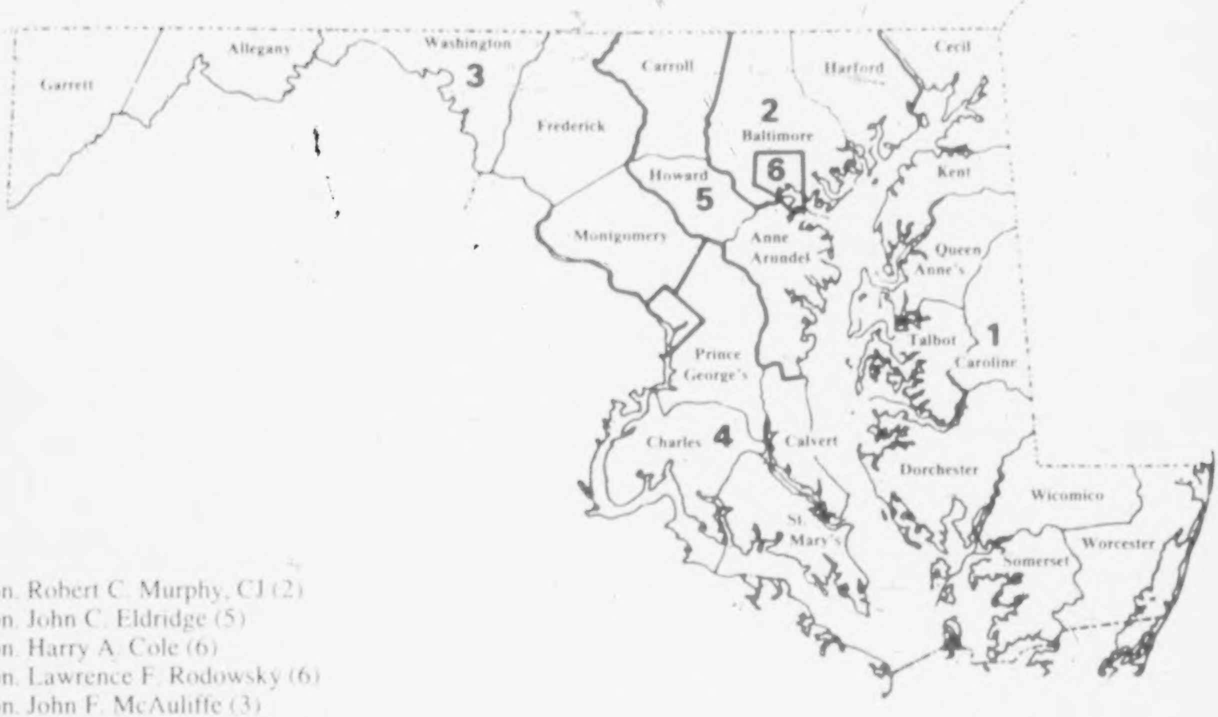
THE MARYLAND JUDICIAL SYSTEM



The Court of Appeals

The Court of Appeals
Judicial Map and Members

as of September 1, 1988



Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. William H. Adkins, II (1)
Hon. Albert T. Blackwell, Jr. (4)

The Court of Appeals

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has sat only in Annapolis. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). After initial appointment by the Governor and confirmation by the Senate, members of the Court run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. That process has resulted in the reduction of the Court's formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. In addition, the Court of Appeals has exclusive jurisdiction over appeals in which a sentence of death is imposed. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. In addition, it admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified by federal and other state appellate courts.

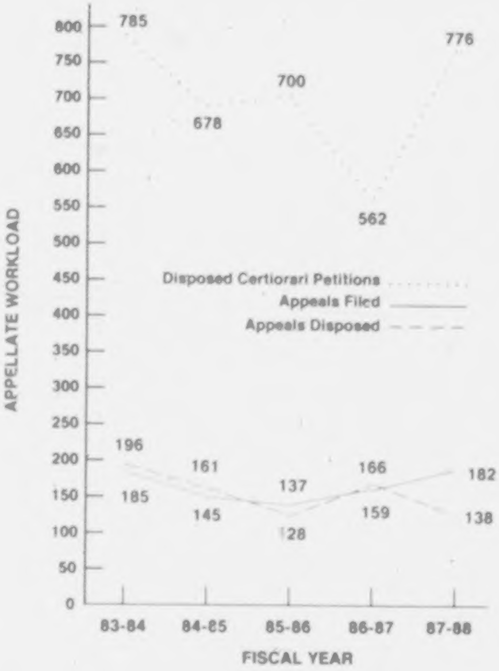
As indicated in Table CA-1, the number of regular docket appeals filed continued its upward trend for the second consecutive fiscal year while the number of regular docket dispositions fluctuated. There was a significant increase in certiorari petition dispositions for Fiscal Year 1988, from 562 in Fiscal Year 1987 to the current level of 776. Total case dispositions also increased for Fiscal 1988.

Filings

Matters filed on the September 1987 docket formed the incoming workload of the Court of Appeals for Fiscal Year 1988. Filings received from March 1 through February 29 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Filings are counted by Term, March 1 through February 29, while dispositions are counted by fiscal year, July 1 through June 30, in this report.

TABLE CA-1

COURT OF APPEALS—APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



The Court docketed a total of 924 filings for the September 1987 Term. Included in the number of total filings were 682 petitions for certiorari; 186 regular cases; 37 attorney discipline proceedings; and 19 miscellaneous appeals of which one was a bar admission proceeding and five were certified questions of law from the United States District Court.

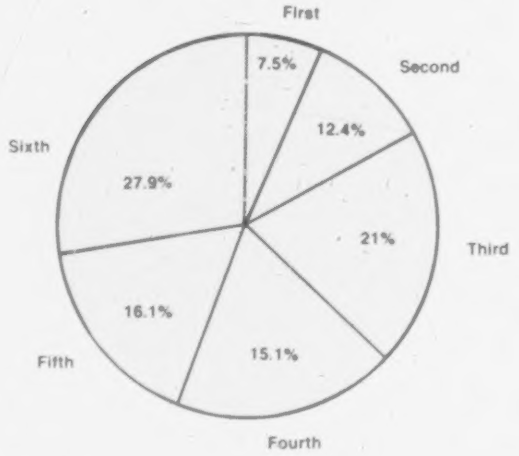
A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Certiorari may also be granted, under certain circumstances, to cases that have been appealed to the circuit court from the District Court after initial appeal has been heard in the circuit court. The Court considered 776 petitions for certiorari during Fiscal 1988 of which 140 or 18.0 percent were granted (Table CA-6). Of the 776 petitions considered during Fiscal 1988, 401 (51.7 percent) were civil while the remaining 375 (48.3 percent) were criminal in nature (Table CA-9).

The Court assigns cases to its regular docket after certiorari has been granted. It may also, on its own motions, add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the Court of Special Appeals.

For the 1987 Term, a total of 186 cases were docketed (Table CA-3). Of that amount, 65 (34.9 percent) were criminal cases while 121 (65.1 percent) were civil which included law, equity, and juvenile cases. Geographically, Baltimore City contributed the greatest number of cases, 52 or 28.0 percent. The four largest counties contributed 88 or 47.3 percent, and the remaining 19 counties contributed 46 or 24.7 percent. Of the four largest counties, Montgomery County contributed the most cases with 31, followed by Prince George's County which contributed 22 cases. Anne Arundel County and Baltimore County contributed 19 and 16 cases, respectively (Table CA-7).

TABLE CA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS COURT OF APPEALS 1987 TERM



First Appellate Circuit—14 or 7.5%
Second Appellate Circuit—23 or 12.4%
Third Appellate Circuit—39 or 21%
Fourth Appellate Circuit—28 or 15.1%
Fifth Appellate Circuit—30 or 16.1%
Sixth Appellate Circuit—52 or 27.9%
Total—State—186 or 100%

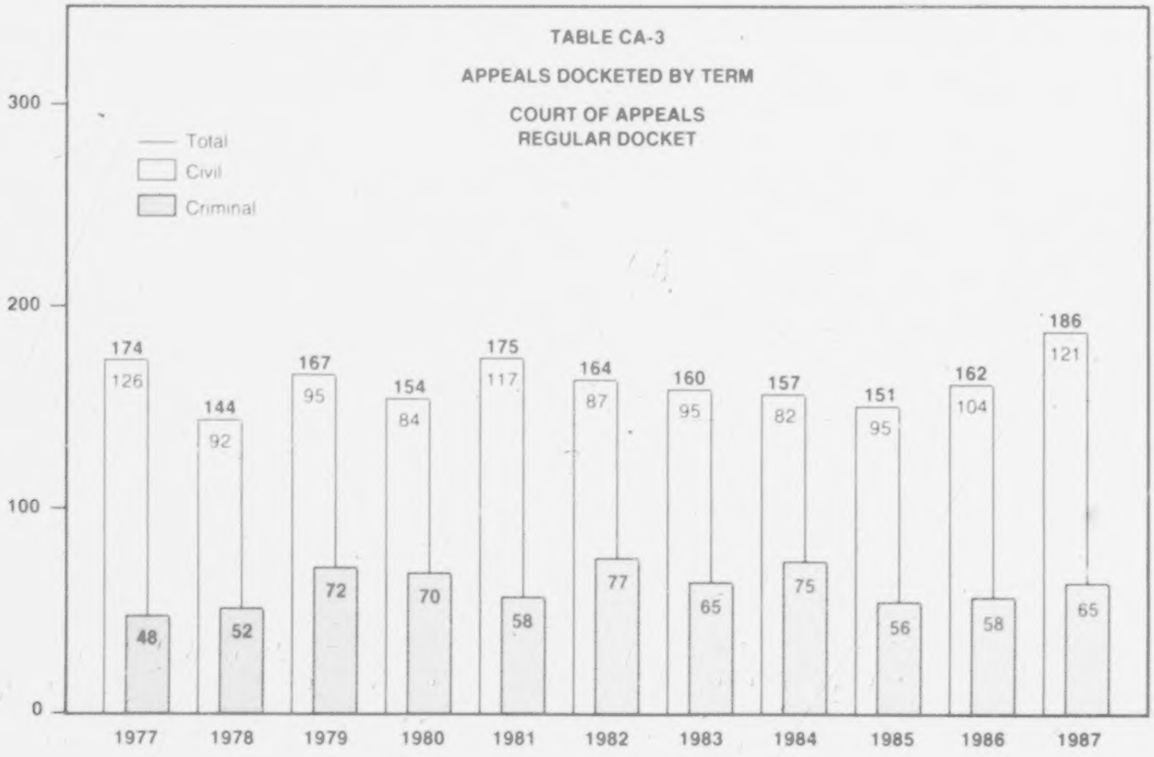


TABLE CA-3

APPEALS DOCKETED BY TERM

COURT OF APPEALS REGULAR DOCKET

Dispositions

The Court of Appeals disposed of 959 cases during Fiscal Year 1988. Included in the number of total dispositions were 138 cases from the regular docket; 776 petitions for certiorari; 29 attorney grievance proceedings; and 16 miscellaneous appeals, of which three were bar admissions proceedings and four were certified questions of law (Table CA-4). The Court also admitted 1,278 persons to the practice of law, including 209 attorneys from other jurisdictions.

There were 138 cases disposed of on the regular docket during Fiscal 1988. Of that number, one case was from the 1984 Term; ten were from the 1985 Term; 38 were from the 1986 Term; 88 were from the 1987 Term; and the remaining case was from the 1988 Term. The Court disposed of 76 civil cases (55.1 percent), 58 (42 percent) criminal cases, and four (2.9 percent) juvenile cases. As to the type of disposition, 46 affirmed the lower court's decision, 42 reversed, and 19 were vacated and remanded to the lower court. Ten decisions were affirmed in part and reversed in part, four were dismissed with an opinion while ten were dismissed without an opinion and the remaining seven cases were dismissed prior to argument or submission (Table CA-8).

There was an average time of 3.5 months from the time certiorari was granted to argument of the case. The average case took 7.2 months from argument to final decision and the entire process from the granting of certiorari to the final decision averaged 9.8 months (Table CA-10). During Fiscal 1988, the Court handed down 114 majority opinions of which two were per curiam. There were also ten dissenting opinions and ten concurring opinions filed as well as one opinion that was dissenting in part and concurring in part.

TABLE CA-4

DISPOSITION OF TOTAL CASELOAD
COURT OF APPEALS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

Regular Docket	138
Petitions for Certiorari	776
Attorney Grievance Proceedings	29
Bar Admissions Proceedings	3
Certified Questions of Law	4
Miscellaneous Appeals	9
Total Dispositions	**959**

Pending

The Court had 167 cases pending at the close of Fiscal 1988. There were 18 cases from the 1986 Term, 92 from the 1987 Term, and 57 cases from the 1988 Term. The majority of the cases pending from the 1988 Term were added towards the close of Fiscal 1988 and are scheduled to be argued during the September 1988 Term. Of those cases pending, 61.7 percent (103) were civil, 37.1 percent (62) were criminal, and the remaining 1.2 percent (two) were juvenile (Table CA-5).

TABLE CA-5

CASES PENDING
COURT OF APPEALS

Regular Docket

June 30, 1988

	Civil	Juvenile	Criminal	Total
Origin				
1986 Docket	8	1	9	18
1987 Docket	62	0	30	92
1988 Docket	33	1	23	57
Total	**103**	**2**	**62**	**167**

Trends

The Court of Appeals once again surpassed the 850 mark, reporting 924 total filings for the 1987 Term. That trend has been evident since the 1981 Term, when a high of 981 filings was reported during the 1983 Term. The number of petition docket dispositions has fluctuated annually with no discernible trend. They have ranged from a high of 785 in Fiscal Year 1984 to a low of 562 in Fiscal Year 1987. The 776 petition docket dispositions reported for Fiscal 1988 mark the second highest level in the last five years. Also changing from year-to-year are the number of petitions that are granted. They have ranged from a low of 13.3 percent in Fiscal 1985 to a high of 18.5 percent in Fiscal 1987. During Fiscal 1988, 18 percent of the certiorari petitions were granted.

Because of the nature of the issues confronting society today, the Court will undoubtedly continue to be faced with problems that will involve lengthy and complex litigation. The Court will have to expend extensive time and effort in the disposition of those matters. This has been partially observed in the elapsed time of cases during Fiscal 1988 when the Court averaged 9.8 months from the granting of certiorari petitions to the final decision compared to 8.4 months in Fiscal 1987. Also, there were 167 cases pending at the close of Fiscal 1988 compared to 124 at the close of Fiscal 1987. In the years ahead, it is anticipated that the Court will have continuing demands placed upon its effort to dispose of its workload in a timely fashion.

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE PETITIONS FOR CERTIORARI GRANTED

FISCAL 1984—FISCAL 1988

Fiscal Year	Total Dispositions	Number Granted	Percentage
1984	785	136	17.3
1985	678	90	13.3
1986	700	104	14.9
1987	562	104	18.5
1988	776	140	18.0

TABLE CA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF APPEALS

1987 TERM

FIRST APPELLATE CIRCUIT		**14**
Caroline County	0	
Cecil County	3	
Dorchester County	1	
Kent County	1	
Queen Anne's County	1	
Somerset County	0	
Talbot County	2	
Wicomico County	1	
Worcester County	5	
SECOND APPELLATE CIRCUIT		**23**
Baltimore County	16	
Harford County	7	
THIRD APPELLATE CIRCUIT		**39**
Allegany County	1	
Frederick County	2	
Garrett County	0	
Montgomery County	31	
Washington County	5	
FOURTH APPELLATE CIRCUIT		**28**
Calvert County	2	
Charles County	3	
Prince George's County	22	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT		**30**
Anne Arundel County	19	
Carroll County	6	
Howard County	5	
SIXTH APPELLATE CIRCUIT		**52**
Baltimore City	52	
TOTAL		**186**

TABLE CA-8

DISPOSITION OF COURT OF APPEALS CASES

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Civil	Juvenile	Criminal	Total
Affirmed	23	2	21	46
Reversed	24	0	18	42
Dismissed—Opinion Filed	4	0	0	4
Dismissed Without Opinion	4	0	6	10
Remanded Without Affirmance or Reversal	0	0	0	0
Vacated and Remanded	11	1	7	19
Affirmed in Part, Reversed in Part	4	0	6	10
Dismissed Prior to Argument or Submission	6	1	0	7
Transferred to Court of Special Appeals	0	0	0	
Rescinded	0	0	0	0
Origin				
1984 Docket	1	0	0	1
1985 Docket	5	0	5	10
1986 Docket	19	1	18	38
1987 Docket	51	3	34	88
1988 Docket	0	0	1	1
Total Cases Disposed During Fiscal 1988	**76**	**4**	**58**	**138**

TABLE CA-9

PETITION DOCKET DISPOSITIONS*

(Petitions for Certiorari)

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Granted	Dismissed	Denied	Withdrawn	Total
PETITIONS	**140**	**6**	**628**	**2**	**776**
Civil	84	5	311	1	401
Criminal	56	1	317	1	375

*672 filed in Fiscal 1988.

TABLE CA-10

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Certiorari Granted to Argument or to Disposition Without Argument[a]	Argument to Decision[b]	Certiorari Granted to Decision[a]
Days	104	217	295
Months	3.5	7.2	9.8
Number of Cases	138	123	138

[a] Includes all cases disposed in Fiscal 1988.

[b] Includes all cases disposed in Fiscal 1988 which were argued.

TABLE CA-11

FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF APPEALS

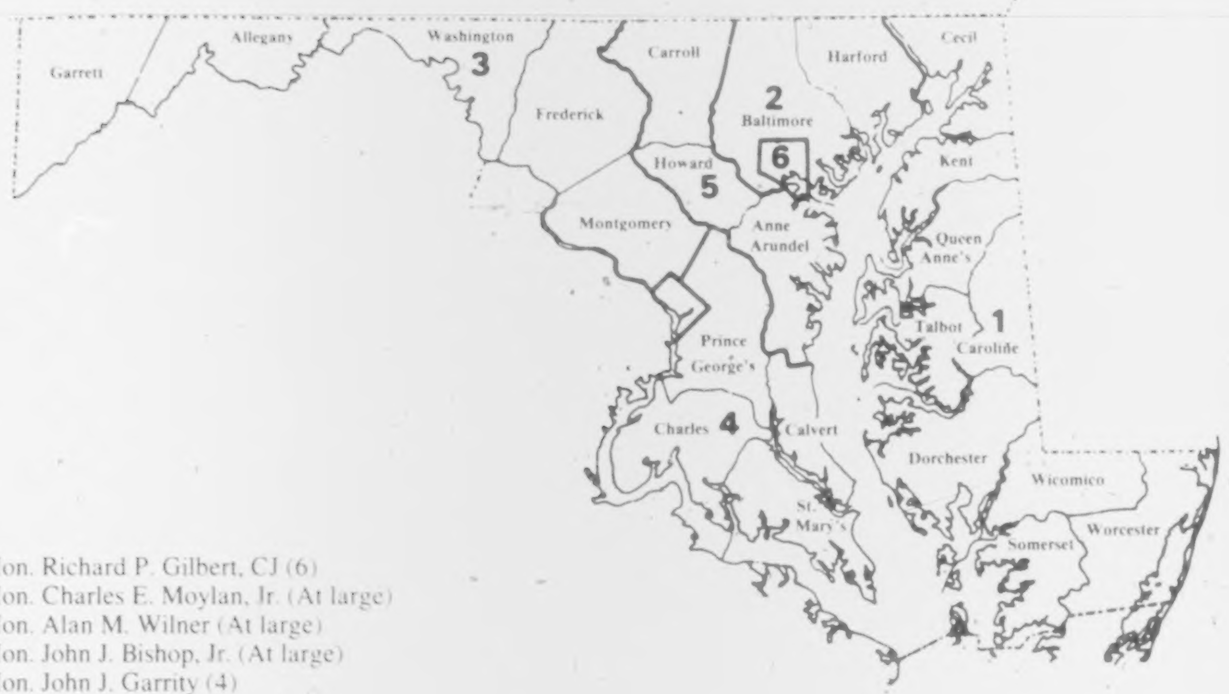
(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4
1985	303 10.1	124 4.1
1986	357 11.9	128 4.3
1987	356 11.9	135 4.5

The Court of Special Appeals

The Court of Special Appeals Judicial Map and Members

as of September 1, 1988



Hon. Richard P. Gilbert, CJ (6)
Hon. Charles E. Moylan, Jr. (At large)
Hon. Alan M. Wilner (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)
Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. Robert L. Karwacki (At large)
Hon. Robert M. Bell (6)
Hon. William W. Wenner (3)
Hon. Richard M. Pollitt (1)
Vacancy (At large)

The Court of Special Appeals

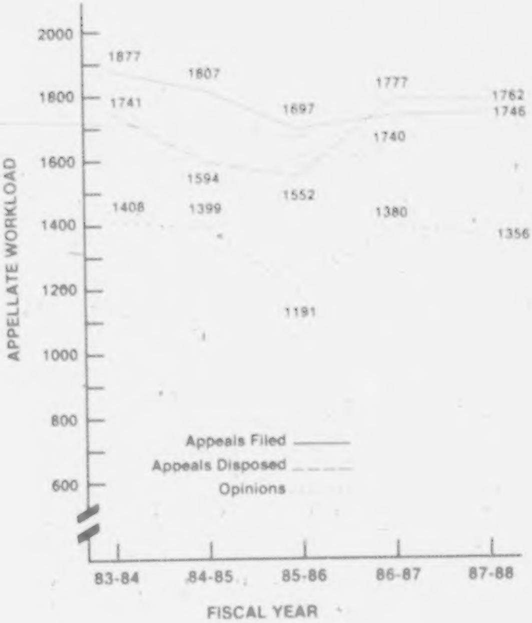
The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge and twelve associates. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

TABLE CSA-1

COURT OF SPECIAL APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



Filings

The September 1987 Term docket formed the major portion of the incoming workload of the Court of Special Appeals for Fiscal Year 1988. As in the Court of Appeals, filings received from March 1 through February 29 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In the *Annual Report*, filings are counted by Term, March 1 through February 29, and dispositions are counted by fiscal year, July 1 through June 30.

The Court of Special Appeals received 1,754 filings on its regular docket during the 1987 Term, an increase of 2.3 percent over the previous term. A slight majority of the filings, 892 or 50.9 percent, were comprised of civil cases while the remaining 862 or 49.1 percent were of a criminal nature (Table CSA-2). The increase in regular docket filings can be attributed for the most part to the 3.2 percent increase in criminal filings. Criminal filings have risen steadily over the past four terms. That increase came just two years after the adoption of § 12-302 of the Courts Article and Maryland Rule 1096 which became effective July 1, 1983. Those provisions removed the right of direct appeal in criminal cases where a guilty plea was entered. An application for leave to appeal must now be filed in those instances and it is then at the discretion of the Court whether or not to place the case on the regular docket (Table CSA-5). Although criminal cases have risen steadily, they still have not reached the level of the September 1982 Term which was the year before automatic review of guilty pleas was changed.

In an attempt to manage the civil workload, the Court of Special Appeals has used the procedure of prehearing conferences which allows for the identification of cases suitable for resolution by the parties. An information report, which is a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal has been noted. The Court received a total of 1,042 information reports during the September 1987 Term which represents a slight decrease of 1.9 percent from the previous term. There were 327 (31.4 percent) information reports assigned for prehearing conference during the 1987 Term compared to 50 percent and 62 percent assigned during the previous two terms, respectively (Table CSA-3). As a result of the prehearing conferences, 179 (54.7 percent) cases proceeded without limitation of issues while three (1.0 percent) cases had their issues limited. There were 96 (29.4 percent) cases dismissed or settled as a result of the prehearing conferences. Thirty-two (9.8 percent) cases were dismissed or remanded after the conferences and eleven (3.3 percent) cases proceeded with their appeals expedited. Six (1.8 percent) cases were pending at the close of the term awaiting prehearing conferences (Table CSA-4).

Again this year, Baltimore City contributed the greatest number of cases docketed in the Court of Special Appeals with 417 or 23.8 percent. The four largest counties contributed 49.3 percent (864) of the total appeals docketed on the regular docket during the 1987 Term. Of the four largest counties, the greatest number of cases were received from Montgomery County, 277 or 15.8 percent, followed by Prince George's County with 244 (13.9 percent). Baltimore and Anne Arundel Counties contributed 216 (12.3 percent) and 127 (7.2 percent), respectively (Table CSA-7). The First Appellate Circuit, which is comprised of the entire Eastern Shore, contributed the least number of collective appeals with 167 or 9.5 percent. The greatest number was received from the Sixth Appellate Circuit comprising only Baltimore City (Table CSA-8). Thirteen percent of the trials conducted in circuit courts during Fiscal Year 1987 were docketed on the regular docket for the 1987 Term in the Court of Special Appeals. That ratio compares to 14 percent during the 1986 Term and 15 percent during the 1985 Term.

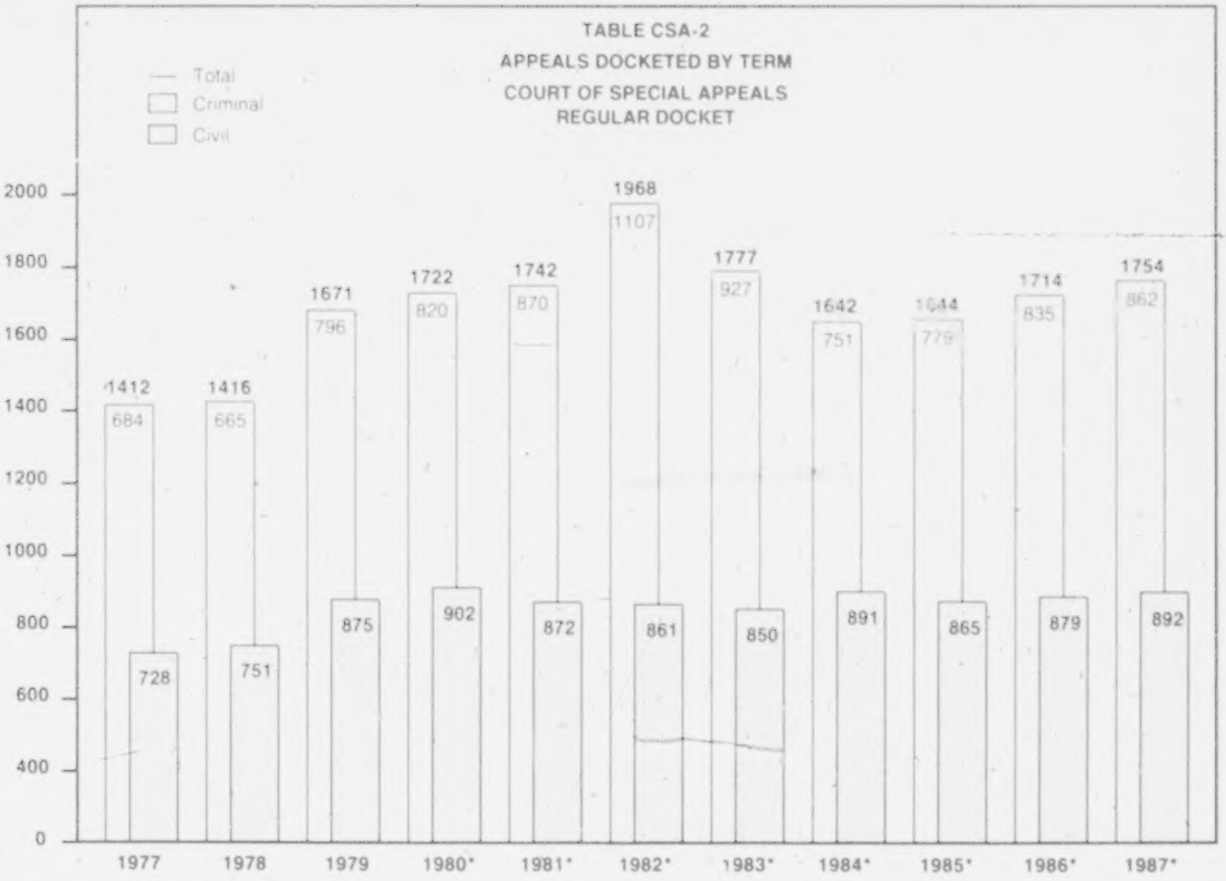


TABLE CSA-2
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET

*Does not include civil notices of appeal which were filed in the Clerks' Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024 a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-3

PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS

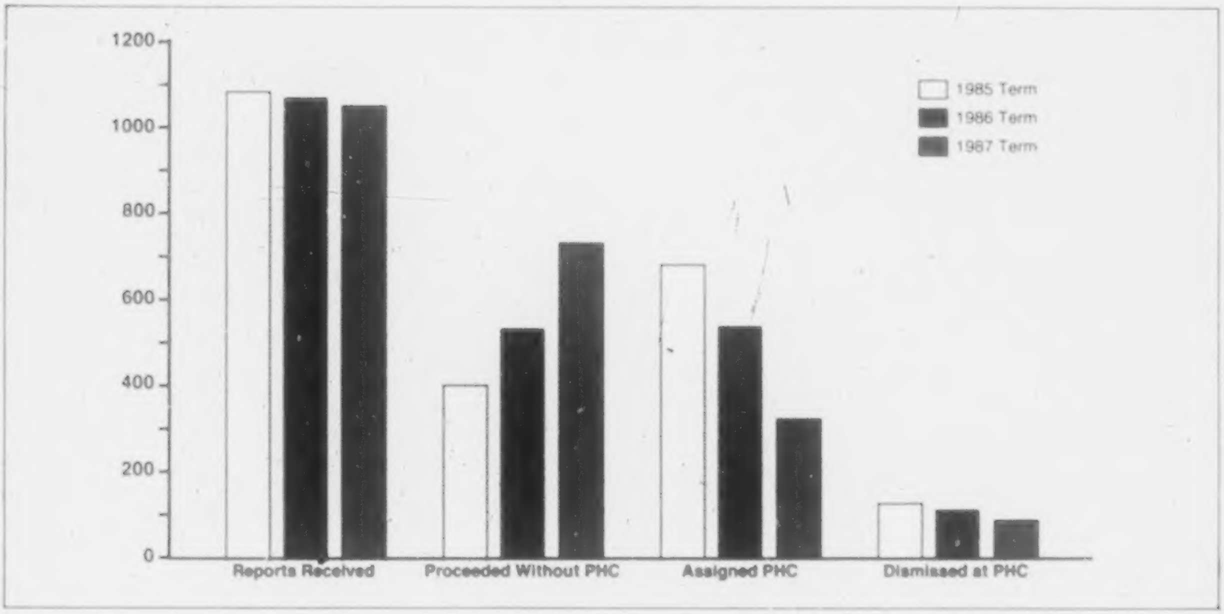
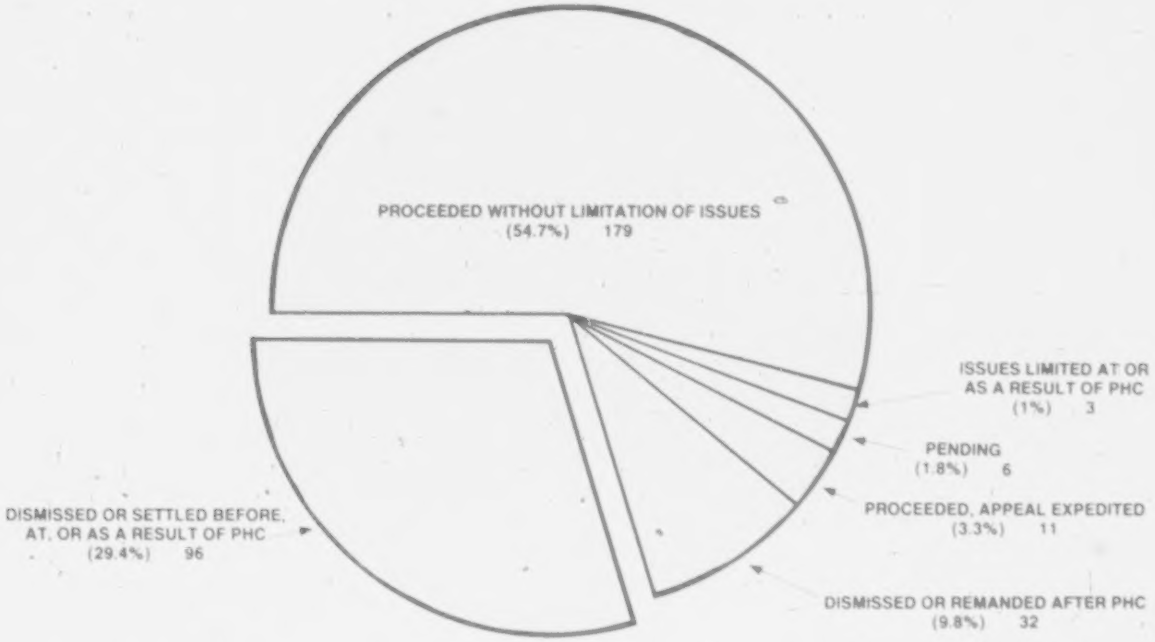


TABLE CSA-4

DISPOSITION OF INFORMATION REPORTS ASSIGNED FOR
PREHEARING CONFERENCE — 1987 TERM



Dispositions

The Court of Special Appeals disposed of 1,762 cases on its regular docket during Fiscal Year 1988, a slight decrease of 0.8 percent from the 1,777 cases disposed of in Fiscal Year 1987. The Court disposed of 106 cases from the 1986 Docket, 1,568 from the 1987 Docket, and 88 cases from the 1988 Docket. Included in the dispositions were 833 (47.3 percent) civil cases, 891 (50.6 percent) criminal cases, and 38 (2.1 percent) cases that were juvenile in nature (Table CSA-10).

The Court affirmed 54.2 percent of the decisions of the lower court during Fiscal Year 1988. Criminal cases accounted for the greatest number of affirmances with 593 (62.1 percent), followed by civil cases, 343 (35.9 percent), and juvenile cases with 19 or 2.0 percent. Overall, criminal cases had the highest rate of affirmances, 66.6 percent or 593 out of 891 cases. Juvenile cases followed with 50 percent (19/38) and civil cases with a rate of 41.2 percent (343/833). There were only 175 cases (9.9 percent) in which the Court reversed the decision of the lower court. There were also 110 decisions (6.2 percent) that affirmed in part and reversed in part the decision of the lower court. The Court dismissed 367 cases prior to argument or submission. Table CSA-10 provides a further breakdown of case disposition.

There were 220 case dispositions on the Court's miscellaneous docket. That includes 121 post conviction cases, 11 inmate grievance cases, and 88 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas. The Court granted 22 applications for leave to appeal while denying 180. It also dismissed or transferred 15 applications for leave to appeal and remanded another three cases (Table CSA-5).

During Fiscal Year 1988, it took an average of 4.2 months from docketing to argument or to disposition without argument, and another 0.9 month from argument to decision (Table CSA-11). The average time from the original filing to disposition in the court below was 13.0 months and from disposition in the circuit court to docketing in the Court of Special Appeals was 3.6 months (Table CSA-12). Those time intervals are consistent with the elapsed time data from previous years.

The Court handed down 1,332 majority opinions during Fiscal Year 1988. Of that amount, there were 1,102 unreported and 230 reported opinions. There were also 20 dissenting, two concurring, and two concurring and dissenting opinions filed.

TABLE CSA-5

DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL AND OTHER MISCELLANEOUS CASES

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	9	8	102	2	121
Inmate Grievance	1	1	9	0	11
Other Miscellaneous*	12	6	69	1	88
TOTALS	**22**	**15**	**180**	**3**	**220**

*Includes habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

Pending

At the close of Fiscal Year 1988, there were 617 cases pending in the Court of Special Appeals on its regular docket. That figure included one case from each of the 1985 and 1986 Dockets, as well as 107 cases from the 1987 Docket and 508 cases from the 1988 Docket. The cases pending from the 1987 Docket were generally argued by the end of Fiscal 1988 and are awaiting opinions, while those pending from the 1988 Docket are being scheduled for argument during the current term (Table CSA-6).

TABLE CSA-6

PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1988

Origin	Civil	Juvenile	Criminal	Total
1985 Docket	1	0	0	1
1986 Docket	1	0	0	1
1987 Docket	60	2	45	107
1988 Docket	220	10	278	508
Total Cases Pending at Close of Fiscal 1988	**282**	**12**	**323**	**617***

*Includes pending cases to be heard in September Term 1988

Trends

The workload of the Court of Special Appeals continues to experience increases both in the criminal and civil areas. There was a dramatic increase from the 1979 Term when there were 1,671 appeals docketed to the 1982 Term when 1,968 appeals were docketed. The increase was directly attributable to the increase in criminal filings which rose over 66 percent between the 1978 (665 criminal appeals) and 1982 (1,107 criminal appeals) Terms (Table CSA-2). The number of appeals did not show a decrease until the 1983 Term when 1,777 appeals were docketed. It appeared that the number of criminal appeals had stabilized during the 1984 and 1985 Terms when there were 751 and 779 criminal appeals, respectively, reported. However, during the 1986 Term, the number of criminal appeals (835) increased by 7.2 percent, thus attributing to the overall increase in regular docket appeals. During the past term, criminal filings rose 3.2 percent.

The initial decrease in criminal filings was attributable to a law enacted in 1983 (Chapter 295 of the 1983 Acts), which allows cases involving a review of judgment following a plea of guilty to be treated as a discretionary appeal rather than an appeal as a matter of right. Individuals appealing from a guilty plea must first file an application for leave to appeal. If granted, the appeal is transferred to the regular docket. Although this process helped to manage the number of regular docket appeals, it resulted in the initial increase in the number of applications for leave to appeal. There were 128 applications for leave to appeal and other miscellaneous appeals disposed of by the Court during Fiscal 1983 compared to 308 during Fiscal 1984. Like the criminal appeals, the number of applications for leave to appeal appeared to have stabilized during Fiscal Years 1985 and 1986 when 192 and 185 applications were disposed. However, during Fiscal 1987, the number of disposed applications (294) was back to the Fiscal 1984 level. In Fiscal 1988, 220 applications were terminated.

In an effort to keep current with its expanding workload, the Court has continued several innovative programs. There was an expedited appeal process initiated to aid the Court and the litigants in identifying and processing cases in a more rapid manner (see Maryland Rule 1029). The Court of Special Appeals has also continued to use the prehearing conference procedure in an attempt to curtail the number of civil cases. The primary objective is to either settle the cases or limit the issues prior to final preparation of the case on appeal. This technique appears to have been very effective. If the current trend continues, the Court of Special Appeals may anticipate an increase in the number of overall filings, which may be related to a steady increase in criminal cases.

TABLE CSA-7

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF SPECIAL APPEALS

Regular Docket

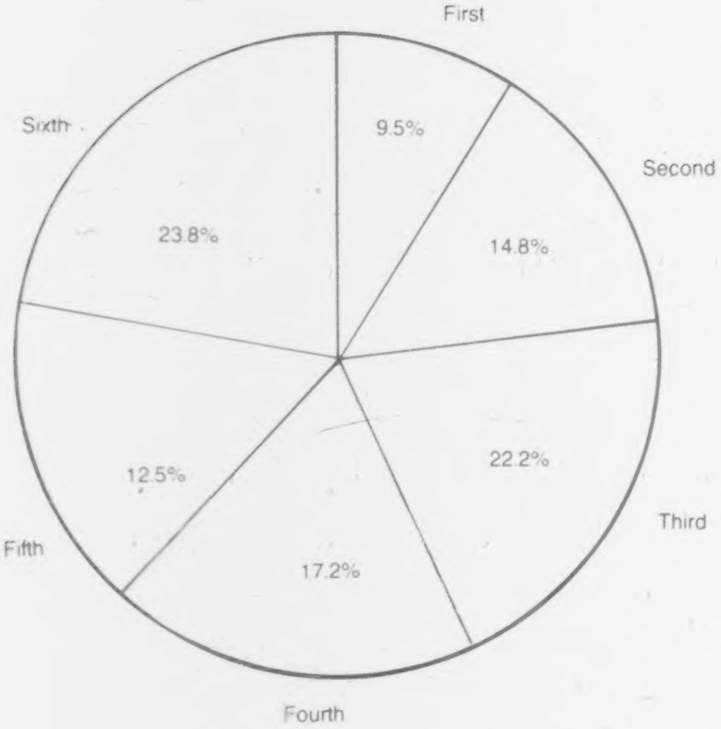
1987 Term

FIRST APPELLATE CIRCUIT		**167**
Caroline County	23	
Cecil County	30	
Dorchester County	11	
Kent County	12	
Queen Anne's County	5	
Somerset County	6	
Talbot County	21	
Wicomico County	34	
Worcester County	25	
SECOND APPELLATE CIRCUIT		**260**
Baltimore County	216	
Harford County	44	
THIRD APPELLATE CIRCUIT		**390**
Allegany County	27	
Frederick County	21	
Garrett County	12	
Montgomery County	277	
Washington County	53	
FOURTH APPELLATE CIRCUIT		**301**
Calvert County	23	
Charles County	20	
Prince George's County	244	
St. Mary's County	14	
FIFTH APPELLATE CIRCUIT		**219**
Anne Arundel County	127	
Carroll County	41	
Howard County	51	
SIXTH APPELLATE CIRCUIT		**417**
Baltimore City	417	
TOTAL		**1,754**

TABLE CSA-8

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS COURT OF SPECIAL APPEALS

1987 TERM REGULAR DOCKET



First Appellate Circuit—167 or 9.5%
Second Appellate Circuit—260 or 14.8%
Third Appellate Circuit—390 or 22.2%
Fourth Appellate Circuit—301 or 17.2%
Fifth Appellate Circuit—219 or 12.5%
Sixth Appellate Circuit—417 or 23.8%
Total—State—1,754 or 100%

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1987 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL 1987

Jurisdiction	Court of Special Appeals 1987 Regular Docket	Circuit Court Fiscal 1987 Trials	Ratio of Appeals to Trials
Kent County	12	16	.75
St. Mary's County	14	33	.42
Carroll County	41	127	.32
Washington County	53	199	.27
Baltimore County	216	800	.27
Queen Anne's County	5	21	.24
Baltimore City	417	1,855	.22
Montgomery County	277	1,755	.16
Calvert County	23	143	.16
Anne Arundel County	127	888	.14
Allegany County	27	191	.14
Howard County	51	363	.14
Wicomico County	34	281	.12
Garrett County	12	104	.12
Talbot County	21	183	.11
Caroline County	23	214	.11
Harford County	44	505	.09
Dorchester County	11	131	.08
Prince George's County	244	3,261	.07
Somerset County	6	91	.07
Cecil County	30	485	.06
Frederick County	21	351	.06
Charles County	20	444	.05
Worcester County	25	562	.04
TOTAL	**1,754**	**13,003**	**.13**

TABLE CSA-10

CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Civil	Juvenile	Criminal	Total
Affirmed	343	19	593	955
Reversed	96	2	77	175
Dismissed—Opinion Filed	35	0	5	40
Dismissed Without Opinion	0	0	1	1
Remanded Without Affirmance or Reversal	6	2	4	12
Vacated and Remanded	35	1	13	49
Affirmed in Part, Reversed in Part	43	1	66	110
Dismissed Prior to Argument or Submission	227	13	127	367
Transferred to Court of Appeals	48	0	5	53
Origin				
1986 Docket	48	2	56	106
1987 Docket	731	36	801	1,568
1988 Docket	54	0	34	88
Total Cases Disposed During Fiscal 1988	**833**	**38**	**891**	**1,762**

TABLE CSA-11

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Docketing to Argument or to Disposition Without Argument[a]	Argument to Decision[b]
Days	125.1	28.0
Months	4.2	0.9
Number of Cases	1,762	1,333

[a] Includes all cases disposed in Fiscal 1988.
[b] Includes all cases disposed in Fiscal 1988 which were argued.

TABLE CSA-12

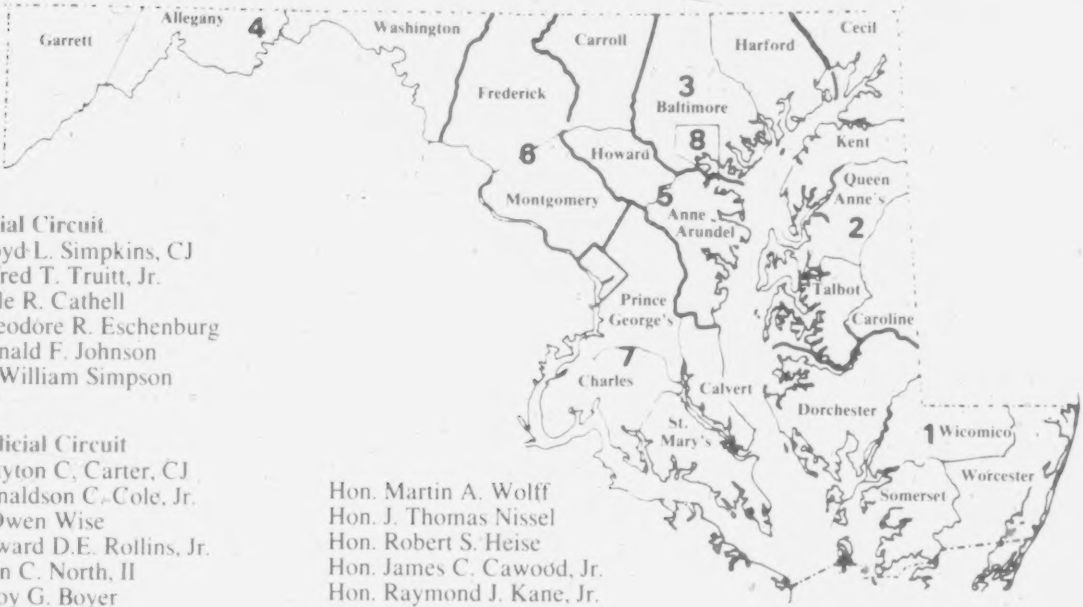
FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1983	392	115
	13.1	3.8
1984	402	126
	13.4	4.2
1985	389	121
	13.0	4.0
1986	375	115
	12.5	3.8
1987	391	108
	13.0	3.6

The Circuit Courts

The Circuit Courts — Judiciary Map and Members
as of September 1, 1988



First Judicial Circuit
*Hon. Lloyd L. Simpkins, CJ
Hon. Alfred T. Truitt, Jr.
Hon. Dale R. Cathell
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Vacancy

Second Judicial Circuit
Hon. Clayton C. Carter, CJ
Hon. Donaldson C. Cole, Jr.
*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John C. North, II
Hon. Elroy G. Boyer

Third Judicial Circuit
*Hon. Frank E. Cicone, CJ
Hon. Edward A. DeWaters, Jr.
Hon. William R. Buchanan, Sr.
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. A. Owen Hennegan
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. William M. Nickerson
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Vacancy
Vacancy

Fourth Judicial Circuit
Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit
Hon. Bruce C. Williams, CJ
*Hon. Raymond G. Thieme, Jr.
Hon. Robert F. Fischer
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. Robert S. Heise
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Vacancy

Sixth Judicial Circuit
*Hon. John J. Mitchell, CJ
Hon. Stanley B. Frosh
Hon. William M. Cave
*Hon. Calvin R. Sanders
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.

Seventh Judicial Circuit
*Hon. Ernest A. Loveless, Jr., CJ
Hon. William H. McCullough
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Howard S. Chasanow
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Vacancy
Vacancy

Eighth Judicial Circuit
Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
Hon. Mary Arabian
*Hon. Joseph H.H. Kaplan
Hon. Edgar P. Silver
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Thomas Ward
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller
Hon. Roger W. Brown
Vacancy
Vacancy

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*Circuit Administrative Judge

The Circuit Courts

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State and in Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1987, there were 109 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit court judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

During Fiscal Year 1988, there were 206,018 total filings reported for the circuit courts, an increase of 4.2 percent or 8,393 over the 197,625 filings reported for Fiscal 1987 (Table CC-2). Civil case filings increased by the greatest percentage, 6.1 percent or 6,452 cases, followed by criminal filings which increased by 4.8 percent or 2,676 (Tables CC-20 and CC-24). The only decrease was reported in juvenile filings which decreased by 2 percent or 735 filings (Table CC-29).

Again this year, civil filings represented the greatest number of circuit court filings overall, 54.7 percent (Table CC-7). The four largest counties along with Baltimore City contributed the majority of the civil filings reported with 81,725 or 72.6 percent. Baltimore City accounted for the greatest number of civil filings, 23,494 or 20.9 percent followed by Prince George's and Montgomery Counties with 21,451 (19 percent) and 14,403 (12.8 percent), respectively. Baltimore County contributed 13,365 (11.9 percent) while Anne Arundel County reported 9,012 civil filings or 8 percent. The remaining 19 counties reported 30,920 civil filings, an increase of 10.6 percent over the previous fiscal year (Table CC-20). The most significant decrease in the civil category was reported in contested confessed judgment which decreased by 83.1 percent. However, the increases in adoption/guardianship and domestic relations cases helped to offset that significant decrease resulting in an overall increase in civil filings.

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 174 hearings and signed 2,852 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 15 hearings and signed 500 orders.

Criminal case filings also increased during Fiscal Year 1988, from 55,247 in Fiscal 1987 to the current level of 57,923, an increase of 4.8 percent or 2,676 filings (Table CC-24). Criminal filings accounted for 28.1 percent of the total filings reported. Jury trial prayers increased by 5.5 percent, from 28,244 in Fiscal 1987 to 29,784 in Fiscal 1988 (Table CC-5). Also contributing to the increase in criminal case filings were increases in motor vehicle appeals from the District Court (12.7 percent), and indictment information (10.1 percent). The greatest number of criminal filings continue to come from Baltimore City and the four largest counties with Baltimore City contributing the most (15,759 or 27.2 percent). Baltimore County reported 8,719 filings followed by Prince George's and Montgomery Counties with 7,314 and 7,120, respectively. Anne Arundel County reported 3,669 criminal filings (Table CC-24).

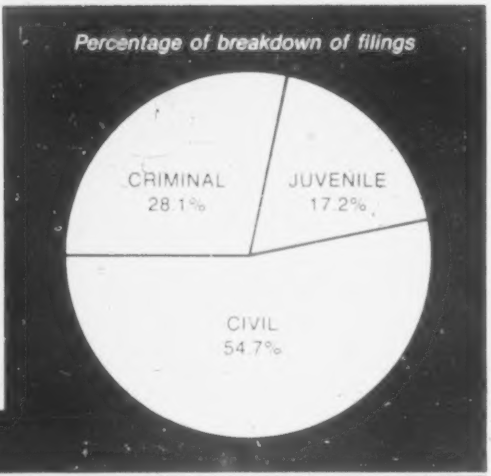
Juvenile was the only functional area to report a decrease. There were 35,450 juvenile filings reported for Fiscal 1988 compared to 36,185 for Fiscal 1987, a decrease of 2 percent (Table CC-28). Overall, juvenile filings represented 17.2 percent of the circuit court filings reported during Fiscal 1988. Baltimore City contributed a significant number of the juvenile filings reported with 13,805 followed by Prince George's County with 6,549 and Baltimore County with 3,425. Over 75 percent of all juvenile filings were delinquency cases (Table CC-8).

TABLE CC-1

CIRCUIT COURT—FILINGS BY FISCAL YEAR

	1983-84	1984-85	1985-86	1986-87	1987-88
Filings	165,169	175,785	189,899	197,625	206,018
Terminations	150,913	155,397	159,559	164,668	183,403

Includes Montgomery County Juvenile Causes


Percentage of breakdown of filings

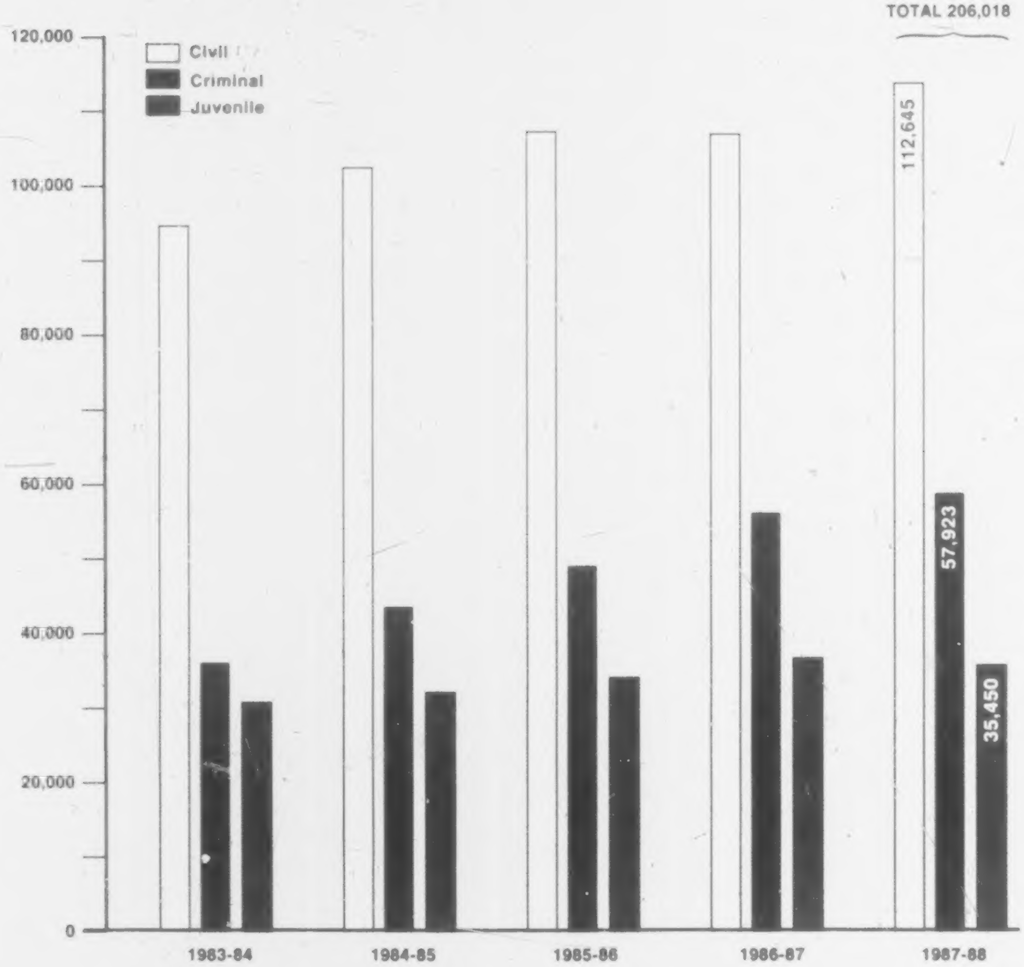


TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS

FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**6,398**	**6,201**	**6,366**	**5,899**	**7,552**	**7,205**	**7,670**	**7,313**	**7,930**	**7,418**
Dorchester	1,305	1,204	1,480	1,408	1,837	1,960	1,865	1,722	1,726	1,533
Somerset	800	799	759	688	940	898	1,021	951	1,108	1,008
Wicomico	2,583	2,573	2,245	2,171	2,644	2,375	2,604	2,528	2,994	2,830
Worcester	1,710	1,625	1,882	1,632	2,131	1,972	2,180	2,112	2,102	2,047
SECOND CIRCUIT	**5,369**	**5,081**	**5,625**	**5,368**	**5,891**	**5,348**	**6,259**	**5,533**	**6,939**	**6,243**
Caroline	687	683	897	747	977	986	1,016	836	1,180	1,188
Cecil	2,356	2,133	2,484	2,435	2,376	2,121	2,549	2,245	2,897	2,476
Kent	388	365	372	402	551	427	668	648	643	570
Queen Anne's	991	937	939	977	944	909	951	898	1,045	1,000
Talbot	947	963	933	807	1,043	905	1,075	906	1,174	1,009
THIRD CIRCUIT	**22,931**	**21,102**	**25,144**	**21,298**	**28,487**	**23,661**	**29,792**	**25,179**	**31,968**	**28,912**
Baltimore	18,352	17,526	20,176	17,515	23,137	19,543	24,325	20,603	25,509	22,572
Harford	4,579	2,576	4,968	3,783	5,350	4,118	5,467	4,576	6,459	6,340
FOURTH CIRCUIT	**5,378**	**4,970**	**5,947**	**5,578**	**6,645**	**5,791**	**6,679**	**5,704**	**7,463**	**7,591**
Allegany	1,544	1,232	1,702	1,564	1,935	1,553	1,828	1,392	2,052	2,469
Garrett	701	761	718	698	684	692	747	745	906	889
Washington	3,133	2,977	3,527	3,316	4,026	3,546	4,104	3,567	4,505	4,233
FIFTH CIRCUIT	**23,727**	**21,959**	**26,037**	**23,322**	**26,681**	**22,005**	**25,329**	**23,393**	**25,611**	**21,247**
Anne Arundel	16,501	15,265	18,250	15,837	18,257	14,469	16,723	15,618	15,717	11,772
Carroll	3,434	3,091	3,543	3,356	3,603	3,327	3,757	3,314	4,049	3,811
Howard	3,792	3,603	4,244	4,129	4,821	4,209	4,849	4,461	5,845	5,664
SIXTH CIRCUIT	**22,596**	**20,320**	**23,472**	**21,871**	**24,526**	**20,887**	**25,011**	**18,601**	**27,972**	**23,534**
Frederick	2,574	2,371	2,718	2,699	3,163	2,802	3,388	2,841	3,805	3,284
Montgomery*	20,022	17,949	20,754	19,172	21,363	18,085	22,623	15,760	24,167	20,250
SEVENTH CIRCUIT	**35,561**	**36,099**	**36,066**	**30,834**	**39,422**	**33,191**	43,583	40,649	**45,077**	**40,742**
Calvert	1,317	1,134	1,467	1,335	1,585	1,582	1,536	1,488	1,695	1,600
Charles	3,010	2,768	3,195	3,040	3,804	3,549	4,710	4,124	4,733	4,257
Prince George's	29,653	30,727	29,916	25,100	32,542	26,660	34,525	32,711	35,314	31,943
St. Mary's	1,581	1,470	1,488	1,359	1,491	1,400	2,812	2,326	3,335	2,942
EIGHTH CIRCUIT	**40,121**	**32,333**	**47,128**	**41,227**	**50,695**	**41,471**	**52,302**	**38,296**	**53,058**	**47,716**
Baltimore City	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296	53,058	47,716
STATE	**162,081**	**148,065**	**175,785**	**155,397**	**189,899**	**159,559**	**197,625**	**164,668**	**206,018**	**183,403**

*Includes juvenile causes processed at the District Court level.

NOTE: See note on Table CC-20.

TABLE CC-3

TERMINATIONS AS A PERCENTAGE OF FILINGS IN THE CIRCUIT COURTS

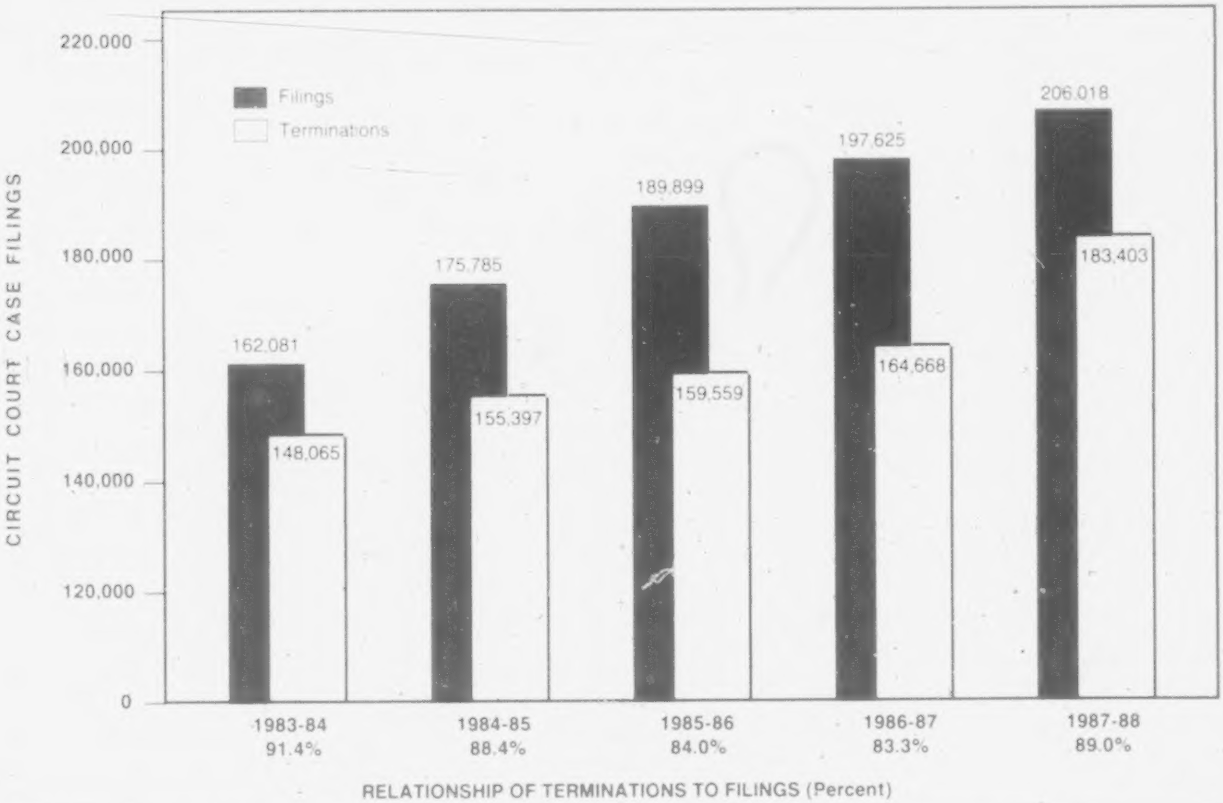


TABLE CC-4

CASES TRIED BY MAJOR JURISDICTION

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	**8,879**	**1,386**	**7,493**	**4,617**	**2,876**
Court Trial	7,592	1,164	6,428	3,870	2,558
Jury Trial	1,287	222	1,065	747	318
CRIMINAL	**4,320**	**1,167**	**3,153**	**1,626**	**1,527**
Court Trial	2,456	765	1,691	781	910
Jury Trial	1,864	402	1,462	845	617

Terminations

Circuit court terminations also increased during Fiscal Year 1988. There were 164,668 terminations in Fiscal 1987 compared to 183,403 in Fiscal 1988, an increase of 11.4 percent (Table CC-2). Increases were reported in both the civil and criminal categories while juvenile terminations decreased. The ratio of terminations as a percentage of filings increased during Fiscal Year 1988, from 83.3 percent to the present level of 89 percent.

Civil terminations increased by 15.2 percent, representing the second consecutive year of an increase since Fiscal 1984. There was also an increase reported in criminal terminations, from 44,910 in Fiscal 1987 to 52,039 in Fiscal 1988, an increase of 15.9 percent. Following the decrease in juvenile filings, juvenile terminations also decreased during Fiscal 1988 by 3.6 percent. In the civil area, the greatest increase was reported in paternity terminations (34.7 percent), while motor vehicle appeals from the District Court represented the greatest increase in the criminal category (34.6 percent).

Of the major jurisdictions, Anne Arundel and Prince George's Counties were the only ones to report a decrease in overall terminations, 24.6 percent and 2.3 percent, respectively (Table CC-2). The decrease in Anne Arundel County can be attributed to the decrease in both civil (36.1 percent) and juvenile terminations (15.1 percent) (Tables CC-20 and CC-28).

Pending

There were 250,694 cases pending at the close of Fiscal 1988, an increase of 11.4 percent over Fiscal 1987. Included in that total were 185,796 civil cases; 44,674 criminal cases; and 20,224 juvenile cases including 1,952 juvenile causes from Montgomery County (Table CC-6.9). Those figures compare to 224,969 cases pending at the close of Fiscal 1987 of which 163,262 were civil; 42,408 were criminal; and 19,299 were juvenile including 1,540 juvenile causes from Montgomery County. The five major jurisdictions contributed the majority of the cases with 86.5 percent or 216,869 cases pending.

Court Trials, Jury Trials, and Hearings

The circuit courts conducted a total of 226,094 judicial proceedings during Fiscal Year 1988, an increase of 11.2 percent over the previous year. Included in that figure were 51,370 civil hearings; 96,284 criminal hearings; 65,241 juvenile hearings; 10,048 court trials; and 3,151 jury trials (Table CC-10). Over 75 percent of the court trials held were civil in nature while over 59 percent of the jury trials were of a criminal nature.

Elapsed Time of Case Dispositions

The average time period from the filing of an original case to its disposition remained relatively constant for civil and juvenile cases and rose for criminal cases (Table CC-13). When the older, inactive cases, which constitute approximately 5 percent of the total cases, are excluded, the average time to dispose of a civil case was 213 days in Fiscal 1988 compared to 214 days in Fiscal 1987 and 204 days in Fiscal 1986. Criminal cases averaged 120 days from filing to disposition in Fiscal 1988, 112 days in Fiscal 1987, and 106 days in Fiscal 1986. The average time to dispose of juvenile cases was 67 days in Fiscal 1988 and 66 days in Fiscal 1986 and 1987.

Trends

Circuit court filings have continued to increase steadily over the past few years. This was the second year in the last five that the increase in overall filings was less than 10,000 filings. Fiscal Year 1988 also marked the second consecutive year in five years that an increase was not reported in all three functional areas. Civil and criminal filings increased by 6.1 percent and 4.8 percent, respectively, while juvenile filings decreased by 2 percent. Overall filings increased by 4.2 percent, from 197,625 in Fiscal 1987 to 206,018 in Fiscal 1988.

Adoption and guardianship cases accounted for the greatest percentage increase in civil cases during Fiscal 1988 while motor vehicle appeals from the District Court reported the greatest increases in criminal filings. Again this year, CINA cases reported the greatest increase in the juvenile area.

The increase in jury trial prayers went from 21.3 percent in Fiscal 1987 to 5.5 percent in Fiscal 1988. Jury trial prayers still represent over 50 percent of the criminal filings reported each year. In the civil area, both motor tort and other tort filings increased by 6.9 percent and 16.8 percent, respectively.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre-Ch. 608	Post-Ch. 608						
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698	8,714
Anne Arundel County	503	381	392	459	720	922	1,066	1,343
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348	4,683
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560	3,955
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003	3,111
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569	7,978
Total	**12,290**	**6,248**	**9,761**	**13,193**	**19,180**	**23,284**	**28,244**	**29,784**

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6.1

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIRST JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	**3,402**	**7,930**	**7,620**	**310**	**7,418**	**7,138**	**280**	**3,914**
Civil	2,288	4,719	4,588	131	4,392	4,284	108	2,615
Criminal	1,002	2,635	2,456	179	2,454	2,282	172	1,183
Juvenile	112	576	576	—	572	572	—	116
DORCHESTER COUNTY	**739**	**1,726**	**1,661**	**65**	**1,533**	**1,474**	**59**	**932**
Civil	552	1,190	1,165	25	1,036	1,012	24	706
Criminal	166	440	400	40	399	364	35	207
Juvenile	21	96	96	—	98	98	—	19
SOMERSET COUNTY	**481**	**1,108**	**1,079**	**29**	**1,008**	**989**	**19**	**581**
Civil	340	783	766	17	742	733	9	381
Criminal	124	238	226	12	182	172	10	180
Juvenile	17	87	87	—	84	84	—	20
WICOMICO COUNTY	**1,093**	**2,994**	**2,907**	**87**	**2,830**	**2,734**	**96**	**1,257**
Civil	760	1,650	1,614	36	1,524	1,483	41	886
Criminal	306	1,161	1,110	51	1,119	1,064	55	348
Juvenile	27	183	183	—	187	187	—	23
WORCESTER COUNTY	**1,089**	**2,102**	**1,973**	**129**	**2,047**	**1,941**	**106**	**1,144**
Civil	636	1,096	1,043	53	1,090	1,056	34	642
Criminal	406	796	720	76	754	682	72	448
Juvenile	47	210	210	—	203	203	—	54

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-6.1 through Table CC-6.9.

TABLE CC-6.2

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	**3,259**	**6,939**	**6,617**	**322**	**6,243**	**5,959**	**284**	**3,955**
Civil	2,114	4,373	4,254	119	3,964	3,871	93	2,523
Criminal	1,006	1,858	1,655	203	1,595	1,404	191	1,269
Juvenile	139	708	708	—	684	684	—	163
CAROLINE COUNTY	**537**	**1,180**	**1,131**	**49**	**1,188**	**1,160**	**28**	**529**
Civil	362	832	807	25	807	797	10	387
Criminal	154	260	236	24	280	262	18	134
Juvenile	21	88	88	—	101	101	—	8
CECIL COUNTY	**1,509**	**2,897**	**2,745**	**152**	**2,476**	**2,345**	**131**	**1,930**
Civil	936	1,875	1,830	45	1,589	1,556	33	1,222
Criminal	502	720	613	107	617	519	98	605
Juvenile	71	302	302	—	270	270	—	103
KENT COUNTY	**280**	**643**	**613**	**30**	**570**	**536**	**34**	**353**
Civil	198	376	360	16	370	352	18	204
Criminal	76	220	206	14	158	142	16	138
Juvenile	6	47	47	—	42	42	—	11
QUEEN ANNE'S COUNTY	**412**	**1,045**	**1,010**	**35**	**1,000**	**961**	**39**	**457**
Civil	260	619	608	11	579	570	9	300
Criminal	131	312	288	24	304	274	30	139
Juvenile	21	114	114	—	117	117	—	18
TALBOT COUNTY	**521**	**1,174**	**1,118**	**56**	**1,009**	**957**	**52**	**686**
Civil	358	671	649	22	619	596	23	410
Criminal	143	346	312	34	236	207	29	253
Juvenile	20	157	157	—	154	154	—	23

NOTE: See note on Table CC-6.1.

TABLE CC-6.3

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	**29,385**	**31,968**	**29,984**	**1,984**	**28,912**	**27,228**	**1,684**	**32,441**
Civil	19,888	16,676	15,789	887	15,351	14,599	752	21,213
Criminal	8,729	11,046	9,949	1,097	9,200	8,268	932	10,575
Juvenile	768	4,246	4,246	—	4,361	4,361	—	653
BALTIMORE COUNTY	**22,690**	**25,509**	**23,828**	**1,681**	**22,572**	**21,165**	**1,407**	**25,627**
Civil	14,859	13,365	12,655	710	11,899	11,314	585	16,325
Criminal	7,372	8,719	7,748	971	7,301	6,479	822	8,790
Juvenile	459	3,425	3,425	—	3,372	3,372	—	512
HARFORD COUNTY	**6,695**	**6,459**	**6,156**	**303**	**6,340**	**6,063**	**277**	**6,814**
Civil	5,029	3,311	3,134	177	3,452	3,285	167	4,888
Criminal	1,357	2,327	2,201	126	1,899	1,789	110	1,785
Juvenile	309	821	821	—	989	989	—	141

NOTE: See note on Table CC-6.1

TABLE CC-6.4

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FOURTH CIRCUIT	**5,053**	**7,463**	**7,146**	**317**	**7,591**	**7,304**	**287**	**4,925**
Civil	4,185	4,827	4,667	160	4,983	4,836	147	4,029
Criminal	764	1,585	1,428	157	1,574	1,434	140	775
Juvenile	104	1,051	1,051	—	1,034	1,034	—	121
ALLEGANY COUNTY	**2,386**	**2,052**	**1,930**	**122**	**2,469**	**2,347**	**122**	**1,969**
Civil	2,121	1,388	1,304	84	1,739	1,661	78	1,770
Criminal	230	369	331	38	444	400	44	155
Juvenile	35	295	295	—	286	286	—	44
GARRETT COUNTY	**277**	**906**	**876**	**30**	**889**	**855**	**34**	**294**
Civil	234	676	655	21	659	637	22	251
Criminal	23	84	75	9	75	63	12	32
Juvenile	20	146	146	—	155	155	—	11
WASHINGTON COUNTY	**2,390**	**4,505**	**4,340**	**165**	**4,233**	**4,102**	**131**	**2,662**
Civil	1,830	2,763	2,708	55	2,585	2,538	47	2,008
Criminal	511	1,132	1,022	110	1,055	971	84	588
Juvenile	49	610	610	—	593	593	—	66

NOTE: See note on Table CC-6.1.

TABLE CC-6.5

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	**22,669**	**25,611**	**24,383**	**1,228**	**21,247**	**20,219**	**1,028**	**27,033**
Civil	17,534	14,206	13,559	647	11,199	10,660	539	20,541
Criminal	4,381	7,214	6,633	581	5,985	5,496	489	5,610
Juvenile	754	4,191	4,191	—	4,063	4,063	—	882
ANNE ARUNDEL COUNTY	**16,344**	**15,717**	**15,053**	**664**	**11,772**	**11,283**	**489**	**20,289**
Civil	13,215	9,012	8,558	454	6,038	5,720	318	16,189
Criminal	2,628	3,669	3,459	210	2,798	2,627	171	3,499
Juvenile	501	3,036	3,036	—	2,936	2,936	—	601
CARROLL COUNTY	**2,439**	**4,049**	**3,835**	**214**	**3,811**	**3,638**	**173**	**2,677**
Civil	1,462	2,013	1,953	60	1,919	1,868	51	1,556
Criminal	860	1,426	1,272	154	1,231	1,109	122	1,055
Juvenile	117	610	610	—	661	661	—	66
HOWARD COUNTY	**3,886**	**5,845**	**5,495**	**350**	**5,664**	**5,298**	**366**	**4,067**
Civil	2,857	3,181	3,046	133	3,242	3,072	170	2,796
Criminal	893	2,119	1,902	217	1,956	1,760	196	1,056
Juvenile	136	545	545	—	466	466	—	215

NOTE: See note on Table CC-6.1.

TABLE CC-6.6

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	**27,450**	**27,972**	**26,921**	**1,051**	**23,534**	**22,536**	**998**	**31,888**
Civil	18,032	16,976	16,670	306	13,706	13,380	326	21,302
Criminal	7,816	8,020	7,275	745	7,277	6,605	672	8,559
Juvenile	1,602	2,976	2,976	—	2,551	2,551	—	2,027
FREDERICK COUNTY	**1,890**	**3,805**	**3,637**	**168**	**3,284**	**3,145**	**139**	**2,411**
Civil	1,343	2,573	2,488	85	2,173	2,102	71	1,743
Criminal	481	900	817	83	788	720	68	593
Juvenile	66	332	332	—	323	323	—	75
MONTGOMERY COUNTY	**25,560**	**24,167**	**23,284**	**883**	**20,250**	**19,391**	**859**	**29,477**
Civil	16,689	14,403	14,182	221	11,533	11,278	255	19,559
Criminal	7,335	7,120	6,458	662	6,489	5,885	604	7,966
Juvenile*	1,536	2,644	2,644	—	2,228	2,228	—	1,952

*Juvenile causes processed at the District Court level.

NOTE: See note on Table CC-6.1.

TABLE CC-6.7

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SEVENTH CIRCUIT	**29,210**	**45,077**	**44,439**	**638**	**40,742**	**40,018**	**724**	**33,545**
Civil	22,815	27,374	27,076	298	24,023	23,671	352	26,166
Criminal	5,020	9,806	9,466	340	9,301	8,929	372	5,525
Juvenile	1,375	7,897	7,897	—	7,418	7,418	—	1,854
CALVERT COUNTY	**871**	**1,695**	**1,633**	**62**	**1,600**	**1,525**	**75**	**966**
Civil	662	959	922	37	916	864	52	705
Criminal	88	422	397	25	368	345	23	142
Juvenile	121	314	314	—	316	316	—	119
CHARLES COUNTY	**1,932**	**4,733**	**4,635**	**98**	**4,257**	**4,167**	**90**	**2,408**
Civil	1,192	3,063	3,005	58	2,660	2,615	45	1,595
Criminal	614	954	914	40	885	840	45	683
Juvenile	126	716	716	—	712	712	—	130
PRINCE GEORGE'S COUNTY	**25,112**	**35,314**	**34,887**	**427**	**31,943**	**31,481**	**462**	**28,483**
Civil	20,144	21,451	21,277	174	18,758	18,580	178	22,837
Criminal	3,890	7,314	7,061	253	7,029	6,745	284	4,175
Juvenile	1,078	6,549	6,549	—	6,156	6,156	—	1,471
ST. MARY'S COUNTY	**1,295**	**3,335**	**3,284**	**51**	**2,942**	**2,845**	**97**	**1,688**
Civil	817	1,901	1,872	29	1,689	1,612	77	1,029
Criminal	428	1,116	1,094	22	1,019	999	20	525
Juvenile	50	318	318	—	234	234	—	134

NOTE: See note on Table CC-6.1.

TABLE CC-6.8

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT								
BALTIMORE CITY	**107,651**	**53,058**	**51,858**	**1,200**	**47,716**	**46,740**	**976**	**112,993**
Total—Civil Courts	84,067	23,494	22,957	537	20,154	19,703	451	87,407
Total—Criminal Court	10,072	15,759	15,096	663	14,653	14,128	525	11,178
Total—Juvenile Court	13,512	13,805	13,805	—	12,909	12,909	—	14,408

NOTE: See note on Table CC-6.1.

TABLE CC-6.9

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED, AND PENDING IN THE STATE OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—STATE	**228,079**	**206,018**	**198,968**	**7,050**	**183,403**	**177,142**	**6,261**	**250,694**
Civil	170,923	112,645	109,560	3,085	97,772	95,004	2,768	185,796
Criminal	38,790	57,923	53,958	3,965	52,039	48,546	3,493	44,674
Juvenile*	18,366	35,450	35,450	—	33,592	33,592	—	20,224

*Includes juvenile causes processed by the District Court for Montgomery County.

NOTE: See notes on Table CC-6.1 and Table CC-20.

TABLE CC-7

PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	**4,719**	**59.5**	**2,635**	**33.2**	**576**	**7.3**	**7,930**	**100.0**
Dorchester	1,190	68.9	440	25.5	96	5.6	1,726	100.0
Somerset	783	70.7	238	21.5	87	7.8	1,108	100.0
Wicomico	1,650	55.1	1,161	38.8	183	6.1	2,994	100.0
Worcester	1,096	52.1	796	37.9	210	10.0	2,102	100.0
SECOND CIRCUIT	**4,373**	**63.0**	**1,858**	**26.8**	**708**	**10.2**	**6,939**	**100.0**
Caroline	832	70.5	260	22.0	88	7.5	1,180	100.0
Cecil	1,875	64.7	720	24.9	302	10.4	2,897	100.0
Kent	376	58.5	220	34.2	47	7.3	643	100.0
Queen Anne's	619	59.2	312	29.9	114	10.9	1,045	100.0
Talbot	671	57.1	346	29.5	157	13.4	1,174	100.0
THIRD CIRCUIT	**16,676**	**52.2**	**11,046**	**34.5**	**4,246**	**13.3**	**31,968**	**100.0**
Baltimore	13,365	52.4	8,719	34.2	3,425	13.4	25,509	100.0
Harford	3,311	51.3	2,327	36.0	821	12.7	6,459	100.0
FOURTH CIRCUIT	**4,827**	**64.7**	**1,585**	**21.2**	**1,051**	**14.1**	**7,463**	**100.0**
Allegany	1,388	67.6	369	18.0	295	14.4	2,052	100.0
Garrett	676	74.6	84	9.3	146	16.1	906	100.0
Washington	2,763	61.3	1,132	25.1	610	13.6	4,505	100.0
FIFTH CIRCUIT	**14,206**	**55.5**	**7,214**	**28.2**	**4,191**	**16.3**	**25,611**	**100.0**
Anne Arundel	9,012	57.4	3,669	23.3	3,036	19.3	15,717	100.0
Carroll	2,013	49.7	1,426	35.2	610	15.1	4,049	100.0
Howard	3,181	54.4	2,119	36.3	545	9.3	5,845	100.0
SIXTH CIRCUIT	**16,976**	**60.7**	**8,020**	**28.7**	**2,976**	**10.6**	**27,972**	**100.0**
Frederick	2,573	67.6	900	23.7	332	8.7	3,805	100.0
Montgomery*	14,403	59.6	7,120	29.5	2,644	10.9	24,167	100.0
SEVENTH CIRCUIT	**27,374**	**60.7**	**9,806**	**21.8**	**7,897**	**17.5**	**45,077**	**100.0**
Calvert	959	56.6	422	24.9	314	18.5	1,695	100.0
Charles	3,063	64.7	954	20.2	716	15.1	4,733	100.0
Prince George's	21,451	60.7	7,314	20.7	6,549	18.6	35,314	100.0
St. Mary's	1,901	57.0	1,116	33.5	318	9.5	3,335	100.0
EIGHTH CIRCUIT	**23,494**	**44.3**	**15,759**	**29.7**	**13,805**	**26.0**	**53,058**	**100.0**
Baltimore City	23,494	44.3	15,759	29.7	13,805	26.0	53,058	100.0
STATE	**112,645**	**54.7**	**57,923**	**28.1**	**35,450**	**17.2**	**206,018**	**100.0**

*Juvenile causes heard at District Court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,190**	**783**	**1,650**	**1,096**	**832**	**1,875**	**376**	**619**	**671**	**13,365**	**3,311**	**1,388**	**676**	**2,763**	**9,012**	**2,013**	**3,181**	**2,573**	**14,403**	**959**	**3,063**	**21,451**	**1,901**	**23,494**	**112,645**
TORT																									
Motor Tort	22	11	57	37	10	71	8	30	28	1,514	235	39	14	83	784	112	233	91	976	49	132	1,803	73	3,815	10,227
Other Tort	4	7	22	13	24	8	8	6	3	1,188	47	14	12	36	127	8	73	54	690	4	36	594	4	961	3,943
CONTRACT	15	6	93	83	1	17	24	17	45	1,530	103	40	22	85	721	55	412	162	1,789	42	103	1,325	26	1,138	7,854
CONDEMNATION	1	0	2	0	1	0	0	5	1	36	13	2	2	3	31	0	5	8	7	2	4	17	5	41	186
CONTESTED CONFESSED JUDGMENT	0	6	3	2	0	0	1	0	10	2	2	1	0	0	2	1	1	1	5	1	3	1	5	131	178
OTHER LAW	2	11	33	42	0	113	2	0	41	398	177	115	5	1	349	0	0	122	448	25	0	23	4	2,763	4,674
APPEALS																									
District Court—On Record	1	1	6	13	2	6	0	1	2	89	14	6	3	2	17	1	20	11	44	2	6	11	1	0	259
District Court—De Novo	2	0	5	4	7	7	1	3	3	113	21	4	3	0	35	2	17	18	106	9	9	27	1	156	553
Administrative Agencies	22	16	25	36	16	32	15	7	17	508	142	74	15	53	402	57	96	56	71	26	43	136	27	381	2,273
UNREPORTED LAW	2	0	0	0	0	0	0	0	0	5	0	0	0	1	5	0	0	0	2	0	1	2	0	19	37
DIVORCE NULLITY	273	121	545	216	166	509	123	146	197	3,235	876	421	183	825	2,580	623	956	809	3,688	269	775	5,495	573	3,928	27,532
OTHER DOMESTIC RELATIONS	104	156	206	134	162	465	80	143	97	1,963	607	122	264	587	594	393	375	530	433	132	599	4,503	324	697	13,670
ADOPTION GUARDIANSHIP	42	3	62	21	30	53	21	14	40	277	131	26	15	116	254	73	140	113	713	37	62	302	23	601	3,169
PATERNITY	577	369	374	160	259	292	54	120	115	817	422	219	78	482	1,283	95	172	321	689	134	985	3,702	510	5,382	17,611
OTHER GENERAL	117	72	217	331	150	297	38	127	71	1,653	502	298	57	485	1,777	589	664	272	3,308	221	299	3,462	273	3,475	18,755
UNREPORTED CATEGORY	6	4	0	4	4	5	1	0	1	37	19	7	3	4	51	4	17	5	1,434	6	6	48	52	6	1,724
JUVENILE—TOTALS	**96**	**87**	**183**	**210**	**88**	**302**	**47**	**114**	**157**	**3,425**	**821**	**295**	**146**	**610**	**3,036**	**610**	**545**	**332**	**2,644**	**314**	**716**	**6,549**	**318**	**13,805**	**35,450**
DELINQUENCY	57	68	128	175	59	218	38	83	101	2,710	530	173	71	449	2,322	451	476	250	1,699	253	598	4,596	262	11,059	26,826
ADULT	0	0	0	0	0	0	1	2	0	2	0	1	0	0	0	17	0	0	1	0	0	4	14	16	58
CHILD IN NEED OF SUPERVISION	0	0	0	1	7	6	1	6	8	20	9	38	14	12	10	33	6	3	2	8	1	4	0	182	371
CHILD IN NEED OF ASSISTANCE	39	19	54	34	22	78	7	23	45	692	282	83	60	149	703	108	63	79	941	53	116	1,938	40	2,546	8,174
UNREPORTED CATEGORY	0	0	1	0	0	0	0	0	3	1	0	0	1	0	1	1	0	0	1	0	1	7	2	2	21
CRIMINAL—TOTALS	**440**	**238**	**1,161**	**796**	**260**	**720**	**220**	**312**	**346**	**8,719**	**2,327**	**369**	**84**	**1,132**	**3,669**	**1,426**	**2,119**	**900**	**7,120**	**422**	**954**	**7,314**	**1,116**	**15,759**	**57,923**
INDICTMENT INFORMATION	168	73	445	203	102	229	91	119	150	2,542	624	169	46	481	2,045	400	854	488	2,259	288	752	3,913	278	6,157	22,876
APPEALS FROM DISTRICT COURT																									
Motor Vehicle	24	5	12	55	11	72	8	12	20	684	95	21	6	44	111	110	161	66	433	12	10	128	9	357	2,466
Other	16	7	39	21	13	35	6	12	14	287	31	17	3	66	99	44	56	17	229	13	30	125	13	306	1,499
JURY TRIAL PRAYED—MOTOR	101	74	229	273	47	181	25	99	57	1,616	939	62	9	204	565	361	468	208	2,154	51	61	1,501	485	0	9,770
JURY TRIAL PRAYED—OTHER	129	79	430	240	72	189	82	64	105	3,067	594	93	9	311	778	499	570	118	1,801	48	83	1,610	329	8,822	20,122
NONSUPPORT	0	0	0	0	0	0	0	0	0	347	1	5	0	0	50	0	0	0	1	0	0	0	0	0	404
POST CONVICTION	0	0	0	1	8	8	1	0	0	0	13	0	8	15	21	0	9	0	5	5	7	9	0	117	227
UNREPORTED CATEGORY	2	0	6	3	7	6	7	6	0	176	30	2	3	11	0	12	1	3	238	5	11	28	2	0	559

NOTE See note on Table CC-20.

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL CASES FILED AND REOPENED CASES FILED

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,036**	**742**	**1,524**	**1,090**	**807**	**1,589**	**370**	**579**	**619**	**11,899**	**3,452**	**1,739**	**659**	**2,585**	**6,038**	**1,919**	**3,242**	**2,173**	**11,533**	**916**	**2,660**	**18,758**	**1,689**	**20,154**	**97,772**
TORT																									
Motor Tort	19	6	48	37	16	33	5	22	24	1,341	319	74	10	87	634	92	214	92	858	22	103	1,655	51	3,271	9,033
Other Tort	7	4	22	22	19	3	4	6	12	552	64	15	11	44	94	32	92	44	404	8	23	560	13	734	2,789
CONTRACT	22	11	75	86	6	6	27	18	27	1,183	247	52	23	72	516	76	413	116	1,874	35	73	1,158	35	825	6,976
CONDEMNATION	5	0	4	0	0	0	1	3	1	64	24	4	1	3	11	0	8	5	5	7	3	11	0	63	223
CONTESTED CONFESSED JUDGMENT	0	5	3	1	0	0	0	0	8	1	10	1	1	0	4	1	5	1	0	1	3	4	4	72	125
OTHER LAW	3	11	19	42	1	56	3	0	54	327	274	56	5	5	306	1	13	95	134	23	0	8	5	2,233	3,674
APPEALS																									
District Court—On Record	3	1	7	9	1	6	0	1	1	92	20	3	2	7	14	0	44	12	32	5	5	1	3	0	269
District Court—De Novo	2	0	1	3	2	2	0	2	4	93	30	1	3	2	60	0	27	15	35	15	6	6	2	97	408
Administrative Agencies	19	8	33	22	7	25	18	6	18	400	117	74	17	38	244	51	99	44	188	32	34	171	72	354	2,091
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	2	6
DIVORCE NULLITY	293	110	543	228	152	448	121	143	161	3,611	862	418	194	775	1,784	642	986	708	3,246	240	742	4,922	509	4,034	25,872
OTHER DOMESTIC RELATIONS	80	149	131	122	138	411	79	130	94	1,597	554	99	243	579	312	373	371	460	605	149	504	4,123	299	312	11,914
ADOPTION GUARDIANSHIP	29	1	54	22	24	46	16	14	33	279	114	22	19	84	224	65	149	96	513	36	54	299	24	511	2,728
PATERNITY	449	373	396	164	261	286	66	118	131	750	381	570	63	442	758	71	189	224	477	118	825	3,184	415	4,387	15,098
OTHER GENERAL	105	62	188	328	179	265	30	116	51	1,598	421	349	67	445	1,068	515	629	259	2,155	223	284	2,640	254	3,259	15,490
UNREPORTED CATEGORY	0	1	0	4	1	2	0	0	0	11	11	1	0	2	9	0	3	2	1,007	2	1	16	3	0	1,076
JUVENILE—TOTALS	**98**	**84**	**187**	**203**	**101**	**270**	**42**	**117**	**154**	**3,372**	**989**	**286**	**155**	**593**	**2,936**	**661**	**466**	**323**	**2,228**	**316**	**712**	**6,156**	**234**	**12,909**	**33,592**
DELINQUENCY	60	63	125	172	71	187	31	82	101	2,685	636	169	76	427	2,219	481	410	246	1,483	247	597	4,240	199	10,153	25,160
ADULT	0	0	0	0	0	1	1	4	0	2	1	1	0	0	1	18	0	0	1	0	0	4	9	11	54
CHILD IN NEED OF SUPERVISION	0	0	1	1	7	5	1	8	8	20	26	41	16	14	10	34	3	6	1	4	1	4	0	83	294
CHILD IN NEED OF ASSISTANCE	38	21	60	30	23	77	9	23	45	665	325	75	62	152	706	127	53	71	741	65	114	1,905	26	2,660	8,073
UNREPORTED CATEGORY	0	0	1	0	0	0	0	0	0	0	1	0	1	0	0	1	0	0	2	0	0	3	0	2	11
CRIMINAL—TOTALS	**399**	**182**	**1,119**	**754**	**280**	**617**	**158**	**304**	**236**	**7,301**	**1,899**	**444**	**75**	**1,055**	**2,798**	**1,231**	**1,956**	**788**	**6,489**	**368**	**885**	**7,029**	**1,019**	**14,653**	**52,039**
INDICTMENT INFORMATION	142	62	442	176	157	201	70	109	107	2,086	557	201	41	477	1,626	326	835	431	2,162	258	696	3,436	253	5,177	20,028
APPEALS FROM DISTRICT COURT																									
Motor Vehicle	25	5	18	50	11	63	9	13	16	586	82	23	7	29	109	83	140	52	416	11	9	148	7	136	2,048
Other	10	5	37	22	7	35	7	17	13	236	28	21	5	55	62	39	56	16	188	12	36	136	13	389	1,445
JURY TRIAL PRAYED—MOTOR	109	48	210	257	36	151	17	98	23	1,377	731	75	9	[illegible]	317	346	402	196	2,183	37	55	1,506	442	21	8,822
JURY TRIAL PRAYED—OTHER	113	62	412	248	67	163	54	66	77	2,521	491	116	5	[illegible]	633	435	514	93	1,535	45	79	1,783	302	8,823	18,926
NONSUPPORT	0	0	0	0	0	0	0	0	0	491	3	8	0	[illegible]	44	0	0	0	1	0	1	0	0	0	548
POST CONVICTION	0	0	0	1	2	4	1	0	0	0	7	0	8	27	7	2	9	0	3	5	9	20	0	107	212
UNREPORTED CATEGORY	0	0	0	0	0	0	0	1	0	4	0	0	0	2	0	0	0	0	1	0	0	0	2	0	10

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																									
Civil																									
Court Trials	52	6	94	29	177	399	2	24	14	344	278	119	74	117	294	67	267	190	627	110	458	2,605	81	1,164	7,592
Jury Trials	8	2	12	14	5	16	2	6	7	147	21	17	4	46	135	17	53	33	141	18	27	324	10	222	1,287
Criminal																									
Court Trials	80	21	112	280	10	52	0	10	18	217	67	17	2	37	367	98	69	13	189	17	6	8	1	765	2,456
Jury Trials	35	21	94	46	30	60	3	12	29	96	33	30	2	95	83	21	24	28	417	12	29	249	13	402	1,864
COUNTY TOTALS																									
Court Trials	132	27	206	309	187	451	2	34	32	561	345	136	76	154	661	165	336	203	816	127	464	2,613	82	1,929	10,048
Jury Trials	43	23	106	60	35	76	5	18	36	243	54	47	6	141	218	38	77	61	558	30	56	573	23	624	3,151
TOTAL	175	50	312	369	222	527	7	52	68	804	399	183	82	295	879	203	413	264	1,374	157	520	3,186	105	2,553	13,199
CIRCUIT TOTALS	**1ST CIRCUIT**				**2ND CIRCUIT**					**3RD CIRCUIT**		**4TH CIRCUIT**			**5TH CIRCUIT**			**6TH CIRCUIT**		**7TH CIRCUIT**				**8TH CIRCUIT**	
Court Trials	674				706					906		366			1,162			1,019		3,286				1,929	10,048
Jury Trials	232				170					297		194			333			619		682				624	3,151
TOTAL	**906**				**876**					**1,203**		**560**			**1,495**			**1,638**		**3,968**				**2,553**	**13,199**
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																									
Civil Hearings	731	491	550	308	284	276	89	256	226	4,403	997	258	209	669	6,355	977	2,897	611	9,579	352	1,346	16,658	826	2,022	51,370
Criminal Hearings	384	162	1,380	763	612	1,409	394	524	359	8,702	3,214	769	120	1,330	5,363	2,350	2,499	1,379	29,654	705	1,391	15,424	1,481	15,916	96,284
Juvenile Hearings	113	77	241	252	196	590	43	207	229	4,241	983	266	216	730	4,875	785	920	614	3,695	811	1,320	13,071	709	30,057	65,241
COUNTY TOTALS	1,228	730	2,171	1,323	1,092	2,275	526	987	814	17,346	5,194	1,293	545	2,729	16,593	4,112	6,316	2,604	42,928	1,868	4,057	45,153	3,016	47,995	212,895
CIRCUIT TOTALS	**1ST CIRCUIT** **5,452**				**2ND CIRCUIT** **5,694**					**3RD CIRCUIT** **22,540**		**4TH CIRCUIT** **4,567**			**5TH CIRCUIT** **27,021**			**6TH CIRCUIT** **45,532**		**7TH CIRCUIT** **54,094**				**8TH CIRCUIT** **47,995**	**212,895**

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

HEARINGS, HEARING DAYS, COURT TRIALS, COURT DAYS, JURY TRIALS, JURY DAYS, TOTAL JUDICIAL PROCEEDINGS, AND TOTAL COURTROOM DAYS BY COUNTY

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	1,228	1,229	132	139	43	53	1,403	1,421
Somerset	730	730	27	28	23	29	780	787
Wicomico	2,171	2,171	206	211	106	124	2,483	2,506
Worcester	1,323	1,324	309	312	60	71	1,692	1,707
SECOND CIRCUIT								
Caroline	1,092	1,092	187	189	35	38	1,314	1,319
Cecil	2,275	2,275	451	457	76	114	2,802	2,846
Kent	526	526	2	2	5	9	533	537
Queen Anne's	987	988	34	39	18	19	1,039	1,046
Talbot	814	816	32	41	36	69	882	926
THIRD CIRCUIT								
Baltimore	17,346	17,458	561	656	243	669	18,150	18,783
Harford	5,194	5,204	345	395	54	162	5,593	5,761
FOURTH CIRCUIT								
Allegany	1,293	1,293	136	138	47	58	1,476	1,489
Garrett	545	550	76	79	6	9	627	638
Washington	2,729	2,736	154	157	141	156	3,024	3,049
FIFTH CIRCUIT								
Anne Arundel	16,593	16,861	661	768	218	535	17,472	18,164
Carroll	4,112	4,124	165	190	38	69	4,315	4,383
Howard	6,316	6,353	336	391	77	210	6,729	6,954
SIXTH CIRCUIT								
Frederick	2,604	2,608	203	226	61	103	2,868	2,937
Montgomery	42,928	43,116	816	1,028	558	801	44,302	44,945
SEVENTH CIRCUIT								
Calvert	1,868	1,869	127	134	30	38	2,025	2,041
Charles	4,057	4,062	464	471	56	76	4,577	4,609
Prince George's	45,153	45,218	2,613	2,685	573	1,414	48,339	49,317
St. Mary's	3,016	3,017	82	86	23	29	3,121	3,132
EIGHTH CIRCUIT								
Baltimore City	47,995	48,061	1,929	1,966	624	817	50,548	50,844
STATE	**212,895**	**213,681**	**10,048**	**10,788**	**3,151**	**5,672**	**226,094**	**230,141**

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-12

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
LAW																									
District Court—De Novo	2	0	5	4	7	7	1	3	3	113	21	4	3	0	35	2	17	18	106	9	9	27	1	156	553
—On Record	1	1	6	13	2	6	0	1	2	89	14	6	3	2	17	1	20	11	44	2	6	11	1	0	259
Administrative Agencies	22	16	25	36	16	32	15	7	17	508	142	74	15	53	402	57	96	56	71	26	43	136	27	381	2,273
Total	25	17	36	53	25	45	16	11	22	710	177	84	21	55	454	60	133	85	221	37	58	174	29	537	3,085
CRIMINAL																									
Motor Vehicle	24	5	12	55	11	72	8	12	20	684	95	21	6	44	111	110	161	66	433	12	10	128	9	357	2,466
Other	16	7	39	21	13	35	6	12	14	287	31	17	3	66	99	44	56	17	229	13	30	125	13	306	1,499
Total	40	12	51	76	24	107	14	24	34	971	126	38	9	110	210	154	217	83	662	25	40	253	22	663	3,965
TOTAL	**65**	**29**	**87**	**129**	**49**	**152**	**30**	**35**	**56**	**1,681**	**303**	**122**	**30**	**165**	**664**	**214**	**350**	**168**	**883**	**62**	**98**	**427**	**51**	**1,200**	**7,050**
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
Prayers for Jury Trials and Appeals:																									
County	273	166	721	606	152	490	122	191	201	5,856	1,694	203	33	627	1,605	1,017	1,292	438	4,767	135	199	3,402	838	9,641	34,669
Circuit	1,766				1,156					7,550		863			3,914			5,205		4,574				9,641	34,669
Circuit Court Filings:																									
County	1,726	1,108	2,994	2,102	1,180	2,897	643	1,045	1,174	25,509	6,459	2,052	906	4,505	15,717	4,049	5,845	3,805	24,167	1,695	4,733	35,314	3,335	53,058	206,018
Circuit	7,930				6,939					31,968		7,463			25,611			27,972		45,077				53,058	206,018
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																									
County	15.8	15.0	24.1	28.8	12.9	16.9	19.0	18.3	17.1	23.0	26.2	10.0	3.6	13.9	10.2	25.1	22.1	11.5	19.7	8.0	4.2	9.6	25.1	18.2	16.8
Circuit	22.3				16.7					23.6		11.6			15.3			18.6		10.1				18.2	16.8

TABLE CC-13

AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88
FIRST CIRCUIT									
Dorchester	141	148	172	113	121	98	32	37	31
Somerset	116	98	109	115	128	132	14	19	12
Wicomico	154	179	185	89	97	94	34	35	37
Worcester	174	177	163	110	112	124	59	58	56
SECOND CIRCUIT									
Caroline	197	179	165	163	160	170	50	50	72
Cecil	152	143	156	159	146	150	46	56	56
Kent	107	141	179	129	125	113	38	37	43
Queen Anne's	160	181	182	123	134	134	35	47	51
Talbot	158	163	171	126	186	174	69	60	57
THIRD CIRCUIT									
Baltimore	210	213	207	106	125	105	51	48	46
Harford	176	186	187	161	166	147	55	59	38
FOURTH CIRCUIT									
Allegany	232	216	282	144	165	173	38	67	57
Garrett	189	187	167	160	124	107	51	38	50
Washington	170	182	175	157	146	129	43	43	40
FIFTH CIRCUIT									
Anne Arundel	184	228	203	143	149	150	74	80	84
Carroll	151	187	180	150	161	199	69	82	78
Howard	225	262	256	131	135	138	64	72	65
SIXTH CIRCUIT									
Frederick	173	184	185	111	128	155	68	70	78
Montgomery	245	242	258	168	178	175	85	106	108
SEVENTH CIRCUIT									
Calvert	189	191	193	105	95	98	77	81	94
Charles	193	192	181	154	141	146	66	65	68
Prince George's	241	206	217	109	111	114	64	71	72
St. Mary's	184	173	186	114	127	149	73	82	94
EIGHTH CIRCUIT									
Baltimore City	194	243	216	76	81	90	68	65	65
STATE	**204**	**214**	**213**	**106**	**112**	**120**	**66**	**66**	**67**

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
				Cases Filed Per Judge		Cases Terminated Per Judge						
		No. of Judges	Population Per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
FIRST CIRCUIT												
Dorchester	29,900	1	29,900	1,286	440	1,134	399	43	15	58	43	1.44
Somerset	19,600	1	19,600	870	238	826	182	44	12	56	23	1.17
Wicomico	72,000	2	36,000	917	581	856	560	25	16	41	106	1.47
Worcester	37,900	2	18,950	653	398	647	377	34	21	55	60	1.58
SECOND CIRCUIT												
Caroline	24,900	1	24,900	920	260	908	280	37	10	47	35	1.41
Cecil	70,100	2	35,050	1,089	360	930	309	31	10	41	76	1.08
Kent	17,000	1	17,000	423	220	412	158	25	13	38	5	0.29
Queen Anne's	31,400	1	31,400	733	312	696	304	23	10	33	18	0.57
Talbot	27,700	1	27,700	828	346	773	236	30	12	42	36	1.30
THIRD CIRCUIT												
Baltimore	681,000	13	52,385	1,292	671	1,175	562	25	13	38	243	0.36
Harford	164,600	4	41,150	1,033	582	1,110	475	25	14	39	54	0.33
FOURTH CIRCUIT												
Allegany	73,500	2	36,750	842	185	1,013	222	23	5	28	47	0.64
Garrett	26,100	1	26,100	822	84	814	75	31	3	34	6	0.23
Washington	116,700	3	38,900	1,124	377	1,059	352	29	10	39	141	1.21
FIFTH CIRCUIT												
Anne Arundel	418,800	9	46,533	1,339	408	997	311	29	9	38	218	0.52
Carroll	117,500	2	58,750	1,312	713	1,290	616	22	12	34	38	0.32
Howard	161,700	4	40,425	932	530	927	489	23	13	36	77	0.48
SIXTH CIRCUIT												
Frederick	137,900	3	45,967	968	300	832	263	21	7	28	61	0.44
Montgomery	700,000	13	53,846	1,108	548	887	499	21	10	31	558	0.80
SEVENTH CIRCUIT												
Calvert	46,800	1	46,800	1,273	422	1,232	368	27	9	36	30	0.64
Charles	94,900	2	47,450	1,890	477	1,686	443	40	10	50	56	0.59
Prince George's	688,300	16	43,019	1,750	457	1,557	439	41	11	52	573	0.83
St. Mary's	71,000	1	71,000	2,219	1,116	1,923	1,019	31	16	47	23	0.32
EIGHTH CIRCUIT												
Baltimore City	750,900	23	32,648	1,622	685	1,438	637	50	21	71	624	0.83
STATE	**4,580,200**	**109**	**42,020**	**1,334**	**531**	**1,185**	**477**	**32**	**13**	**45**	**3,151**	**0.69**

*Population estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15

FIVE-YEAR COMPARATIVE TABLE CASES FILED AND TERMINATED PER JUDGE

FISCAL 1984—FISCAL 1988

	FILED		TERMINATED	
	Civil*	Criminal	Civil*	Criminal
1983-1984	1,205	353	1,092	331
1984-1985	1,209	397	1,049	369
1985-1986	1,262	446	1,034	395
1986-1987	1,272	507	1,068	412
1987-1988	1,334	531	1,185	477

*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-16

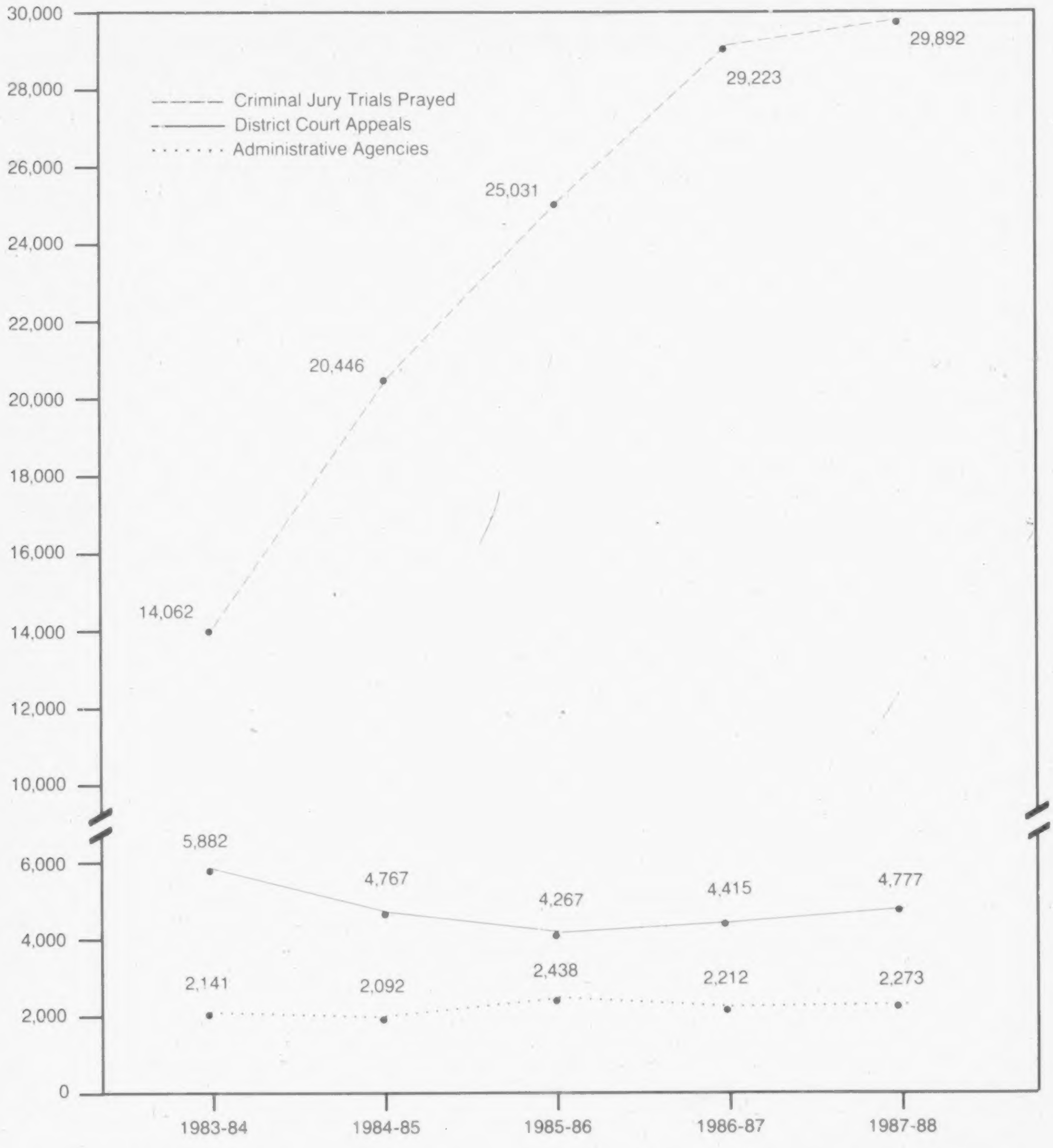
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1984—1988

	1983-1984		1984-1985		1985-1986		1986-1987		1987-1988	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	**286**	**64**	**217**	**80**	**156**	**73**	**151**	**115**	**211**	**99**
Dorchester	41	15	35	22	29	19	31	58	43	22
Somerset	15	2	12	6	13	3	13	12	13	16
Wicomico	112	26	82	26	59	23	46	26	62	25
Worcester	118	21	88	26	55	28	61	19	93	36
SECOND CIRCUIT	**141**	**42**	**171**	**74**	**162**	**130**	**192**	**81**	**235**	**87**
Caroline	19	0	15	4	20	9	20	6	33	16
Cecil	61	20	97	31	76	59	95	39	120	32
Kent	11	6	11	8	18	18	15	7	15	15
Queen Anne's	24	11	23	18	15	17	31	14	28	7
Talbot	26	5	25	13	33	27	31	15	39	17
THIRD CIRCUIT	**1,074**	**433**	**1,007**	**494**	**982**	**568**	**1,208**	**512**	**1,334**	**650**
Baltimore	907	361	879	402	860	475	1,066	418	1,173	508
Harford	167	72	128	92	122	93	142	94	161	142
FOURTH CIRCUIT	**213**	**120**	**186**	**148**	**150**	**102**	**155**	**113**	**175**	**142**
Allegany	93	39	88	65	76	52	47	59	48	74
Garrett	13	10	16	18	14	13	24	13	15	15
Washington	107	71	82	65	60	37	84	41	112	53
FIFTH CIRCUIT	**1,045**	**298**	**762**	**357**	**752**	**421**	**678**	**475**	**673**	**555**
Anne Arundel	612	183	384	225	369	283	344	366	262	402
Carroll	196	49	148	41	153	47	117	41	157	57
Howard	237	66	230	91	230	91	217	68	254	96
SIXTH CIRCUIT	**973**	**295**	**745**	**317**	**668**	**314**	**646**	**254**	**924**	**127**
Frederick	104	36	102	29	45	40	79	40	112	56
Montgomery	869	259	643	288	623	274	567	214	812	71
SEVENTH CIRCUIT	**873**	**440**	**470**	**408**	**492**	**416**	**434**	**294**	**406**	**232**
Calvert	69	29	39	26	31	37	41	36	36	26
Charles	51	40	51	30	67	32	103	27	55	43
Prince George's	684	351	353	336	363	235	281	170	291	136
St. Mary's	69	20	27	16	31	112	9	61	24	27
EIGHTH CIRCUIT	**1,277**	**449**	**1,209**	**214**	**905**	**414**	**951**	**368**	**819**	**381**
Baltimore City	1,277	449	1,209	214	905	414	951	368	819	381
STATE	**5,882**	**2,141**	**4,767**	**2,092**	**4,267**	**2,438**	**4,415**	**2,212**	**4,777**	**2,273**

TABLE CC-17

FIVE-YEAR COMPARATIVE GRAPH
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES



NOTE: Jury trial prayers are slightly higher in Table CC-17 than in Table CC-5 because the data for Baltimore City is based on defendants in Table CC-5. In Table CC-17, the Baltimore City data is based on incidence.

TABLE CC-18

FIVE-YEAR COMPARATIVE TABLE POST CONVICTION CASES FILED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	**15**	**4**	**5**	**0**	**1**
Dorchester	14	4	5	0	0
Somerset	0	0	0	0	0
Wicomico	1	0	0	0	0
Worcester	0	0	0	0	1
SECOND CIRCUIT	**15**	**4**	**5**	**6**	**17**
Caroline	8	1	1	0	8
Cecil	2	3	1	5	8
Kent	0	0	0	1	1
Queen Anne's	5	0	0	0	0
Talbot	0	0	3	0	0
THIRD CIRCUIT	**13**	**5**	**9**	**5**	**13**
Baltimore	0	0	1	2	0
Harford	13	5	8	3	13
FOURTH CIRCUIT	**30**	**17**	**16**	**13**	**23**
Allegany	0	0	0	0	0
Garrett	5	2	2	0	8
Washington	25	15	14	13	15
FIFTH CIRCUIT	**24**	**17**	**18**	**33**	**30**
Anne Arundel	0	11	9	26	21
Carroll	0	0	2	1	0
Howard	24	6	7	6	9
SIXTH CIRCUIT	**21**	**39**	**24**	**9**	**5**
Frederick	0	0	0	0	0
Montgomery	21	39	24	9	5
SEVENTH CIRCUIT	**92**	**97**	**85**	**122**	**21**
Calvert	1	6	5	5	5
Charles	14	14	5	9	7
Prince George's	75	74	73	108	9
St. Mary's	2	3	2	0	0
EIGHTH CIRCUIT	**191**	**172**	**128**	**147**	**117**
Baltimore City	191	172	128	147	117
STATE	**401**	**355**	**290**	**335**	**227**

TABLE CC-19

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	3	0	3	0	0
Somerset	0	0	0	0	0
Wicomico	1	0	1	0	0
Worcester	7	1	12	0	0
SECOND CIRCUIT					
Caroline	16	0	3	0	0
Cecil	11	2	9	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	0	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore	14	0	19	0	0
Harford	6	0	3	0	0
FOURTH CIRCUIT					
Allegany	10	5	9	0	0
Garrett	4	0	2	0	0
Washington	38	3	31	0	4
FIFTH CIRCUIT					
Anne Arundel	5	0	3	0	0
Carroll	4	0	0	0	0
Howard	4	0	4	0	0
SIXTH CIRCUIT					
Frederick	36	1	17	0	0
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	5	2	2	0	1
Charles	17	0	15	1	1
Prince George's	41	3	35	0	1
St. Mary's	0	0	5	0	0
EIGHTH CIRCUIT					
Baltimore City	74	4	62	0	0
STATE	**296**	**21**	**235**	**1**	**7**

TABLE CC-20

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS

FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**4,441**	**4,214**	**4,244**	**3,917**	**4,797**	**4,815**	**4,550**	**4,342**	**4,719**	**4,392**
Dorchester	941	861	1,071	1,014	1,415	1,579	1,398	1,271	1,190	1,036
Somerset	650	637	562	499	687	708	700	654	783	742
Wicomico	1,774	1,725	1,425	1,363	1,450	1,319	1,358	1,310	1,650	1,524
Worcester	1,076	991	1,186	1,041	1,245	1,209	1,094	1,107	1,096	1,090
SECOND CIRCUIT	**3,823**	**3,545**	**3,978**	**3,771**	**3,989**	**3,700**	**3,917**	**3,441**	**4,373**	**3,964**
Caroline	499	491	673	555	697	729	656	547	832	807
Cecil	1,514	1,353	1,701	1,612	1,601	1,428	1,626	1,428	1,875	1,589
Kent	310	284	270	297	379	297	451	445	376	370
Queen Anne's	753	702	671	704	644	626	563	562	619	579
Talbot	747	715	663	603	668	620	621	459	671	619
THIRD CIRCUIT	**13,328**	**12,262**	**14,168**	**11,591**	**15,153**	**11,933**	**14,547**	**12,061**	**16,676**	**15,351**
Baltimore	10,507	10,039	11,200	9,472	12,044	9,758	11,633	9,640	13,365	11,899
Harford	2,821	2,233	2,968	2,119	3,109	2,175	2,914	2,421	3,311	3,452
FOURTH CIRCUIT	**3,620**	**3,239**	**4,016**	**3,735**	**4,372**	**3,788**	**4,381**	**3,558**	**4,827**	**4,983**
Allegany	954	705	1,048	919	1,134	864	1,221	774	1,388	1,739
Garrett	511	539	510	518	503	498	541	537	676	659
Washington	2,155	1,995	2,458	2,298	2,735	2,426	2,619	2,247	2,763	2,585
FIFTH CIRCUIT	**14,583**	**13,985**	**16,743**	**14,166**	**16,320**	**12,573**	**14,110**	**13,338**	**14,206**	**11,199**
Anne Arundel	10,901	10,535	12,645	10,369	11,967	8,810	9,835	9,453	9,012	6,038
Carroll	1,667	1,532	1,784	1,549	1,883	1,718	1,895	1,785	2,013	1,919
Howard	2,015	1,918	2,314	2,248	2,470	2,045	2,380	2,100	3,181	3,242
SIXTH CIRCUIT	**13,667**	**12,587**	**13,838**	**13,474**	**14,492**	**12,331**	**14,944**	**11,627**	**16,976**	**13,706**
Frederick	1,957	1,796	1,883	1,901	2,134	1,957	2,274	1,866	2,573	2,173
Montgomery	11,710	10,791	11,955	11,573	12,358	10,374	12,670	9,761	14,403	11,533
SEVENTH CIRCUIT	**22,378**	**23,357**	**21,695**	**17,076**	**23,406**	**18,139**	**26,462**	**24,648**	**27,374**	**24,023**
Calvert	839	668	798	746	896	892	914	888	959	916
Charles	1,692	1,594	1,860	1,705	2,212	2,104	2,990	2,535	3,063	2,660
Prince George's	18,738	20,046	18,046	13,729	19,309	14,269	20,817	19,652	21,451	18,758
St. Mary's	1,109	1,049	991	896	989	874	1,741	1,573	1,901	1,689
EIGHTH CIRCUIT	**18,746**	**13,181**	**23,348**	**18,076**	**24,187**	**16,367**	**23,282**	**11,879**	**23,494**	**20,154**
Baltimore City	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879	23,494	20,154
STATE	**94,586**	**86,370**	**102,030**	**85,806**	**106,716**	**83,646**	**106,193**	**84,894**	**112,645**	**97,772**

NOTE: In most instances, a civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions in Maryland, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-21

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**4,392**	**217**	**4.9**	**181**	**4.1**	**36**	**0.8**
Dorchester	1,036	60	5.8	52	5.0	8	0.8
Somerset	742	8	1.1	6	0.8	2	0.3
Wicomico	1,524	106	7.0	94	6.2	12	0.8
Worcester	1,090	43	3.9	29	2.6	14	1.3
SECOND CIRCUIT	**3,964**	**652**	**16.4**	**616**	**15.5**	**36**	**0.9**
Caroline	807	182	22.5	177	21.9	5	0.6
Cecil	1,589	415	26.1	399	25.1	16	1.0
Kent	370	4	1.1	2	0.5	2	0.5
Queen Anne's	579	30	5.2	24	4.1	6	1.0
Talbot	619	21	3.4	14	2.3	7	1.1
THIRD CIRCUIT	**15,351**	**790**	**5.1**	**622**	**4.0**	**168**	**1.1**
Baltimore	11,899	491	4.1	344	2.9	147	1.2
Harford	3,452	299	8.7	278	8.1	21	0.6
FOURTH CIRCUIT	**4,983**	**377**	**7.6**	**310**	**6.2**	**67**	**1.3**
Allegany	1,739	136	7.8	119	6.8	17	1.0
Garrett	659	78	11.8	74	11.2	4	0.6
Washington	2,585	163	6.3	117	4.5	46	1.8
FIFTH CIRCUIT	**11,199**	**833**	**7.4**	**628**	**5.6**	**205**	**1.8**
Anne Arundel	6,038	429	7.1	294	4.9	135	2.2
Carroll	1,919	84	4.4	67	3.5	17	0.9
Howard	3,242	320	9.9	267	8.2	53	1.6
SIXTH CIRCUIT	**13,706**	**991**	**7.2**	**817**	**6.0**	**174**	**1.2**
Frederick	2,173	223	10.3	190	8.7	33	1.5
Montgomery	11,533	768	6.6	627	5.4	141	1.2
SEVENTH CIRCUIT	**24,023**	**3,633**	**15.1**	**3,254**	**13.5**	**379**	**1.6**
Calvert	916	128	14.0	110	12.0	18	2.0
Charles	2,660	485	18.2	458	17.2	27	1.0
Prince George's	18,758	2,929	15.6	2,605	13.9	324	1.7
St. Mary's	1,689	91	5.4	81	4.8	10	0.6
EIGHTH CIRCUIT	**20,154**	**1,386**	**6.9**	**1,164**	**5.8**	**222**	**1.1**
Baltimore City	20,154	1,386	6.9	1,164	5.8	222	1.1
STATE	**97,772**	**8,879**	**9.1**	**7,592**	**7.8**	**1,287**	**1.3**

TABLE CC-22

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES TRIED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	**173**	**264**	**226**	**260**	**217**
Dorchester	18	36	27	38	60
Somerset	25	24	17	37	8
Wicomico	85	112	117	94	106
Worcester	45	92	65	91	43
SECOND CIRCUIT	**401**	**551**	**494**	**556**	**652**
Caroline	50	104	113	155	182
Cecil	266	381	340	360	415
Kent	21	16	7	7	4
Queen Anne's	52	42	21	18	30
Talbot	12	8	13	16	21
THIRD CIRCUIT	**1,025**	**827**	**935**	**901**	**790**
Baltimore	515	437	481	460	491
Harford	510	390	454	441	299
FOURTH CIRCUIT	**311**	**262**	**342**	**315**	**377**
Allegany	74	98	160	141	136
Garrett	109	90	85	87	78
Washington	128	74	97	87	163
FIFTH CIRCUIT	**1,104**	**647**	**878**	**719**	**833**
Anne Arundel	614	304	472	398	429
Carroll	300	124	193	61	84
Howard	190	219	213	260	320
SIXTH CIRCUIT	**2,209**	**859**	**1,086**	**1,603**	**991**
Frederick	370	263	300	307	223
Montgomery	1,839	596	786	1,296	768
SEVENTH CIRCUIT	**1,415**	**1,466**	**3,194**	**3,613**	**3,633**
Calvert	113	127	161	119	128
Charles	311	338	467	388	485
Prince George's	943	918	2,523	3,083	2,929
St. Mary's	48	83	43	23	91
EIGHTH CIRCUIT	**1,343**	**1,635**	**1,210**	**1,092**	**1,386**
Baltimore City	1,343	1,635	1,210	1,092	1,386
STATE	**7,981**	**6,511**	**8,365**	**9,059**	**8,879**

NOTE: See note on Table CC-10.

TABLE CC-23

CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	569	236	172	34.6	60.8	77.2	93.5	97.5
Somerset	330	174	109	55.2	76.1	86.4	95.2	97.6
Wicomico	1,152	258	185	33.5	58.1	72.9	90.5	98.2
Worcester	901	187	163	31.4	60.9	84.1	97.6	99.6
SECOND CIRCUIT								
Caroline	463	209	165	25.9	64.4	84.0	95.5	97.8
Cecil	962	195	156	36.6	64.6	82.7	95.4	98.5
Kent	282	238	179	30.1	60.6	75.2	92.2	98.9
Queen Anne's	377	221	182	29.4	62.3	76.7	95.0	99.2
Talbot	466	253	171	31.5	60.1	75.1	89.9	97.9
THIRD CIRCUIT								
Baltimore	10,593	332	207	26.5	51.1	64.7	84.9	95.4
Harford	2,626	679	187	22.0	43.0	56.3	69.2	75.7
FOURTH CIRCUIT								
Allegany	1,476	896	282	8.9	28.9	42.3	68.1	78.7
Garrett	408	189	167	36.5	63.7	80.4	98.0	99.3
Washington	1,843	230	175	36.4	63.0	75.9	93.7	98.1
FIFTH CIRCUIT								
Anne Arundel	4,708	308	203	19.7	52.9	73.4	90.5	94.7
Carroll	1,541	286	180	24.7	56.1	72.7	86.6	97.3
Howard	2,779	509	256	10.5	37.2	56.8	81.6	88.5
SIXTH CIRCUIT								
Frederick	1,769	258	185	26.3	58.7	75.4	91.9	97.7
Montgomery	9,679	355	258	14.6	41.4	61.5	88.1	96.4
SEVENTH CIRCUIT								
Calvert	804	257	193	27.1	57.0	73.4	91.7	98.0
Charles	1,436	229	181	26.7	61.3	79.0	94.8	98.1
Prince George's	13,637	325	217	16.2	47.4	68.5	86.5	97.3
St. Mary's	987	266	186	23.4	57.4	75.4	90.8	98.0
EIGHTH CIRCUIT								
Baltimore City	19,427	375	216	22.9	47.5	61.2	80.7	94.6
STATE	**79,215**	**354**	**213**	**21.7**	**49.0**	**65.9**	**85.3**	**94.9**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

TABLE CC-24

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES FILINGS AND TERMINATIONS

FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**1,489**	**1,494**	**1,594**	**1,512**	**2,142**	**1,815**	**2,498**	**2,363**	**2,635**	**2,454**
Dorchester	215	190	260	253	286	246	310	305	440	399
Somerset	108	122	155	150	190	139	228	211	238	182
Wicomico	668	685	632	637	976	829	1,050	1,031	1,161	1,119
Worcester	498	497	547	472	690	601	910	816	796	754
SECOND CIRCUIT	**915**	**908**	**956**	**925**	**1,219**	**1,004**	**1,568**	**1,335**	**1,858**	**1,595**
Caroline	123	124	142	116	179	166	281	210	260	280
Cecil	465	416	429	461	456	391	582	471	720	617
Kent	48	56	54	57	127	88	169	158	220	158
Queen Anne's	165	161	165	170	194	180	261	220	312	304
Talbot	114	151	166	121	263	179	275	276	346	236
THIRD CIRCUIT	**6,378**	**5,649**	**7,136**	**6,033**	**8,871**	**7,170**	**10,573**	**8,619**	**11,046**	**9,200**
Baltimore	5,211	4,806	5,799	4,976	7,374	5,924	8,717	7,099	8,719	7,301
Harford	1,167	843	1,337	1,066	1,497	1,246	1,856	1,520	2,327	1,899
FOURTH CIRCUIT	**729**	**718**	**844**	**770**	**1,042**	**841**	**1,299**	**1,136**	**1,585**	**1,574**
Allegany	219	178	248	232	362	286	341	323	369	444
Garrett	86	109	113	85	91	107	105	119	84	75
Washington	424	431	483	453	589	448	853	694	1,132	1,055
FIFTH CIRCUIT	**5,010**	**4,116**	**5,135**	**4,870**	**5,643**	**5,063**	**6,516**	**5,432**	**7,214**	**5,985**
Anne Arundel	2,493	1,925	2,562	2,313	2,822	2,413	3,380	2,707	3,669	2,798
Carroll	1,196	980	1,134	1,218	1,162	1,117	1,224	910	1,426	1,231
Howard	1,321	1,211	1,439	1,339	1,659	1,533	1,912	1,815	2,119	1,956
SIXTH CIRCUIT	**4,538**	**3,754**	**5,465**	**4,443**	**5,960**	**4,408**	**6,993**	**3,337**	**8,020**	**7,277**
Frederick	357	317	487	472	644	473	786	645	900	788
Montgomery	4,181	3,437	4,978	3,971	5,316	3,935	6,207	2,692	7,120	6,489
SEVENTH CIRCUIT	**6,747**	**6,609**	**7,987**	**7,208**	**8,654**	**7,854**	**9,649**	**8,639**	**9,806**	**9,301**
Calvert	206	193	342	281	369	352	316	346	422	368
Charles	571	517	613	571	774	646	948	812	954	885
Prince George's	5,645	5,607	6,707	6,038	7,138	6,497	7,559	6,945	7,314	7,029
St. Mary's	325	292	325	318	373	359	826	536	1,116	1,019
EIGHTH CIRCUIT	**10,932**	**11,210**	**13,430**	**13,772**	**15,129**	**14,859**	**16,151**	**14,049**	**15,759**	**14,653**
Baltimore City	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049	15,759	14,653
STATE	**36,738**	**34,458**	**42,547**	**39,533**	**48,660**	**43,014**	**55,247**	**44,910**	**57,923**	**52,039**

TABLE CC-25

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**2,454**	**689**	**28.1**	**493**	**20.1**	**196**	**8.0**
Dorchester	399	115	28.8	80	20.0	35	8.8
Somerset	182	42	23.1	21	11.5	21	11.5
Wicomico	1,119	206	18.4	112	10.0	94	8.4
Worcester	754	326	43.2	280	37.1	46	6.1
SECOND CIRCUIT	**1,595**	**224**	**14.0**	**90**	**5.6**	**134**	**8.4**
Caroline	280	40	14.3	10	3.6	30	10.7
Cecil	617	112	18.1	52	8.4	60	9.7
Kent	158	3	1.9	0	0.0	3	1.9
Queen Anne's	304	22	7.2	10	3.3	12	3.9
Talbot	236	47	19.9	18	7.6	29	12.3
THIRD CIRCUIT	**9,200**	**413**	**4.5**	**284**	**3.1**	**129**	**1.4**
Baltimore	7,301	313	4.3	217	3.0	96	1.3
Harford	1,899	100	5.3	67	3.5	33	1.7
FOURTH CIRCUIT	**1,574**	**183**	**11.6**	**56**	**3.5**	**127**	**8.1**
Allegany	444	47	10.6	17	3.8	30	6.8
Garrett	75	4	5.3	2	2.7	2	2.7
Washington	1,055	132	12.5	37	3.5	95	9.0
FIFTH CIRCUIT	**5,985**	**662**	**11.0**	**534**	**8.9**	**128**	**2.1**
Anne Arundel	2,798	450	16.1	367	13.1	83	3.0
Carroll	1,231	119	9.7	98	8.0	21	1.7
Howard	1,956	93	4.7	69	3.5	24	1.2
SIXTH CIRCUIT	**7,277**	**647**	**8.9**	**202**	**2.8**	**445**	**6.1**
Frederick	788	41	5.2	13	1.6	28	3.6
Montgomery	6,489	606	9.3	189	2.9	417	6.4
SEVENTH CIRCUIT	**9,301**	**335**	**3.6**	**32**	**0.3**	**303**	**3.3**
Calvert	368	29	7.9	17	4.6	12	3.3
Charles	885	35	4.0	6	0.7	29	3.3
Prince George's	7,029	257	3.6	8	0.1	249	3.5
St. Mary's	1,019	14	1.4	1	0.1	13	1.3
EIGHTH CIRCUIT	**14,653**	**1,167**	**8.0**	**765**	**5.3**	**402**	**2.7**
Baltimore City	14,653	1,167	8.0	765	5.3	402	2.7
STATE	**52,039**	**4,320**	**8.3**	**2,456**	**4.7**	**1,864**	**3.6**

NOTE: See note on Table CC-10.

TABLE CC-26

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES TRIED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	**599**	**606**	**598**	**805**	**689**
Dorchester	156	153	110	93	115
Somerset	57	60	46	54	42
Wicomico	163	173	186	187	206
Worcester	223	220	256	471	326
SECOND CIRCUIT	**378**	**275**	**239**	**363**	**224**
Caroline	79	28	23	59	40
Cecil	86	87	109	125	112
Kent	12	1	5	9	3
Queen Anne's	110	99	52	3	22
Talbot	91	60	50	167	47
THIRD CIRCUIT	**2,828**	**278**	**291**	**404**	**413**
Baltimore	2,698	175	188	340	313
Harford	130	103	103	64	100
FOURTH CIRCUIT	**172**	**185**	**164**	**179**	**183**
Allegany	77	75	64	50	47
Garrett	21	11	22	17	4
Washington	74	99	78	112	132
FIFTH CIRCUIT	**1,512**	**1,227**	**813**	**659**	**662**
Anne Arundel	514	468	422	490	450
Carroll	361	112	96	66	119
Howard	637	647	295	103	93
SIXTH CIRCUIT	**348**	**517**	**457**	**503**	**647**
Frederick	82	232	169	44	41
Montgomery	266	285	288	459	606
SEVENTH CIRCUIT	**299**	**253**	**263**	**268**	**335**
Calvert	25	30	32	24	29
Charles	36	41	53	56	35
Prince George's	221	161	168	178	257
St. Mary's	17	21	10	10	14
EIGHTH CIRCUIT	**1,159**	**1,126**	**791**	**763**	**1,167**
Baltimore City	1,159	1,126	791	763	1,167
STATE	**7,295**	**4,467**	**3,616**	**3,944**	**4,320**

NOTE: See note on Table CC-10.

TABLE CC-27

CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	350	99	98	11.4	54.9	77.7	92.6	99.7
Somerset	179	159	132	13.4	20.1	40.8	82.7	97.2
Wicomico	914	94	94	19.5	52.3	77.2	95.2	100.0
Worcester	685	130	124	7.0	18.8	55.9	86.6	98.4
SECOND CIRCUIT								
Caroline	247	176	170	2.4	7.3	19.4	61.1	97.6
Cecil	523	183	150	6.7	13.0	31.7	70.0	97.3
Kent	124	232	113	14.5	29.8	56.5	86.3	94.4
Queen Anne's	203	156	134	9.4	22.7	41.4	76.8	99.0
Talbot	216	189	174	5.6	12.0	19.4	54.6	94.4
THIRD CIRCUIT								
Baltimore	5,700	158	105	23.1	44.6	66.1	83.2	93.7
Harford	1,294	209	147	8.1	25.7	41.3	60.7	87.2
FOURTH CIRCUIT								
Allegany	394	195	173	5.6	15.5	28.7	52.3	91.6
Garrett	63	116	107	28.6	39.7	57.1	85.7	98.4
Washington	903	139	129	13.0	32.8	55.8	75.5	97.2
FIFTH CIRCUIT								
Anne Arundel	2,414	178	150	7.2	18.1	35.7	64.4	93.0
Carroll	1,013	240	199	3.1	7.4	12.6	37.1	91.7
Howard	1,422	190	138	5.1	29.5	47.9	67.9	91.5
SIXTH CIRCUIT								
Frederick	744	191	155	9.5	23.3	33.5	60.1	94.2
Montgomery	5,245	234	175	13.5	18.3	24.2	45.1	84.0
SEVENTH CIRCUIT								
Calvert	261	104	98	23.4	49.0	64.4	93.1	99.2
Charles	545	152	146	7.3	20.0	34.9	74.9	99.1
Prince George's	6,302	127	114	23.8	44.8	58.3	77.9	96.5
St. Mary's	760	233	149	11.6	18.0	27.9	71.4	97.2
EIGHTH CIRCUIT								
Baltimore City	14,653	109	90	41.9	56.0	71.2	84.7	96.3
STATE	**45,154**	**152**	**120**	**24.0**	**39.3**	**54.6**	**74.3**	**94.0**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

TABLE CC-28

FIVE-YEAR COMPARATIVE TABLE JUVENILE CAUSES FILINGS AND TERMINATIONS

FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**468**	**493**	**528**	**470**	**613**	**575**	**622**	**608**	**[illegible]6**	**572**
Dorchester	149	153	149	141	136	135	157	146	96	98
Somerset	42	40	42	39	63	51	93	86	87	84
Wicomico	141	163	188	171	218	227	196	187	183	187
Worcester	136	137	149	119	196	162	176	189	210	203
SECOND CIRCUIT	**631**	**628**	**691**	**672**	**683**	**644**	**774**	**757**	**708**	**684**
Caroline	65	68	82	76	101	91	79	79	88	101
Cecil	377	364	354	362	319	302	341	346	302	270
Kent	30	25	48	48	45	42	48	45	47	42
Queen Anne's	73	74	103	103	106	103	127	116	114	117
Talbot	86	97	104	83	112	106	179	171	157	154
THIRD CIRCUIT	**3,225**	**3,191**	**3,840**	**3,674**	**4,463**	**4,558**	**4,672**	**4,499**	**4,246**	**4,361**
Baltimore	2,634	2,681	3,177	3,076	3,719	3,861	3,975	3,864	3,425	3,372
Harford	591	510	663	598	744	697	697	635	821	989
FOURTH CIRCUIT	**1,029**	**1,013**	**1,087**	**1,073**	**1,231**	**1,162**	**999**	**1,010**	**1,051**	**1,034**
Allegany	371	349	406	413	439	403	266	295	295	286
Garrett	104	113	95	95	90	87	101	89	146	155
Washington	554	551	586	565	702	672	632	626	610	593
FIFTH CIRCUIT	**4,134**	**3,858**	**4,159**	**4,286**	**4,718**	**4,369**	**4,703**	**4,623**	**4,191**	**4,063**
Anne Arundel	3,107	2,805	3,043	3,155	3,468	3,246	3,508	3,458	3,036	2,936
Carroll	571	579	625	589	558	492	638	619	610	661
Howard	456	474	491	542	692	631	557	546	545	466
SIXTH CIRCUIT	**4,391**	**3,979**	**4,169**	**3,954**	**4,074**	**4,148**	**4,074**	**3,637**	**2,976**	**2,551**
Frederick	260	258	348	326	385	372	328	330	332	323
Montgomery*	4,131	3,721	3,821	3,628	3,689	3,776	3,746	3,307	2,644	2,228
SEVENTH CIRCUIT	**6,436**	**6,133**	**6,384**	**6,550**	**7,362**	**7,198**	**7,472**	**7,362**	**7,897**	**7,418**
Calvert	272	273	327	308	320	338	306	254	314	316
Charles	747	657	722	764	818	799	772	777	716	712
Prince George's	5,270	5,074	5,163	5,333	6,095	5,894	6,149	6,114	6,549	6,156
St. Mary's	147	129	172	145	129	167	245	217	318	234
EIGHTH CIRCUIT	**10,443**	**7,942**	**10,350**	**9,379**	**11,379**	**10,245**	**12,869**	**12,368**	**13,805**	**12,909**
Baltimore City	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368	13,805	12,909
STATE	**30,757**	**27,237**	**31,208**	**30,058**	**34,523**	**32,899**	**36,185**	**34,864**	**35,450**	**33,592**

*Includes juvenile causes processed at the District Court level.

TABLE CC-29

JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
	Number of Cases	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	69	31	31	73.9	89.9	97.1	100.0	100.0	100.0
Somerset	57	17	12	96.5	98.2	98.2	98.2	98.2	100.0
Wicomico	114	39	37	49.1	85.1	96.5	98.2	99.1	100.0
Worcester	165	76	56	17.6	70.9	88.5	93.3	95.2	95.8
SECOND CIRCUIT									
Caroline	58	82	72	25.9	50.0	72.4	91.4	96.6	98.3
Cecil	264	61	56	27.3	68.2	92.0	94.3	98.1	99.6
Kent	24	57	43	45.8	75.0	91.7	95.8	95.8	95.8
Queen Anne's	74	55	51	36.5	68.9	94.6	97.3	98.6	98.6
Talbot	84	65	57	27.4	70.2	90.5	91.7	97.6	97.6
THIRD CIRCUIT									
Baltimore	2,082	143	46	30.8	73.2	91.1	94.5	96.3	97.9
Harford	480	60	38	22.7	59.8	94.2	96.7	98.3	99.4
FOURTH CIRCUIT									
Allegany	263	65	57	47.1	68.8	84.0	91.6	97.7	98.1
Garrett	116	50	50	42.2	80.2	92.2	95.7	100.0	100.0
Washington	335	41	40	49.0	79.4	98.2	99.4	99.7	99.7
FIFTH CIRCUIT									
Anne Arundel	1,323	92	84	8.5	31.7	80.2	93.1	97.2	98.5
Carroll	343	92	78	11.1	38.2	79.9	90.7	95.3	97.4
Howard	382	79	65	16.2	56.8	86.6	92.1	96.1	96.9
SIXTH CIRCUIT									
Frederick	184	86	78	32.1	43.5	78.3	89.1	97.3	99.5
Montgomery	1,322	145	108	12.6	24.6	52.9	73.3	88.6	94.4
SEVENTH CIRCUIT									
Calvert	265	111	94	5.3	18.9	75.1	86.8	95.1	96.6
Charles	387	76	68	9.0	40.3	93.5	97.9	98.7	99.2
Prince George's	3,131	76	72	17.1	42.0	88.1	96.6	99.0	99.5
St. Mary's	159	98	94	4.4	16.4	79.9	94.3	99.4	99.4
EIGHTH CIRCUIT									
Baltimore City	11,099	102	65	28.9	55.5	83.1	90.8	95.2	96.8
STATE	**22,780**	**111**	**67**	**24.9**	**52.2**	**83.5**	**91.6**	**95.9**	**97.5**

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

TABLE CC-30

DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

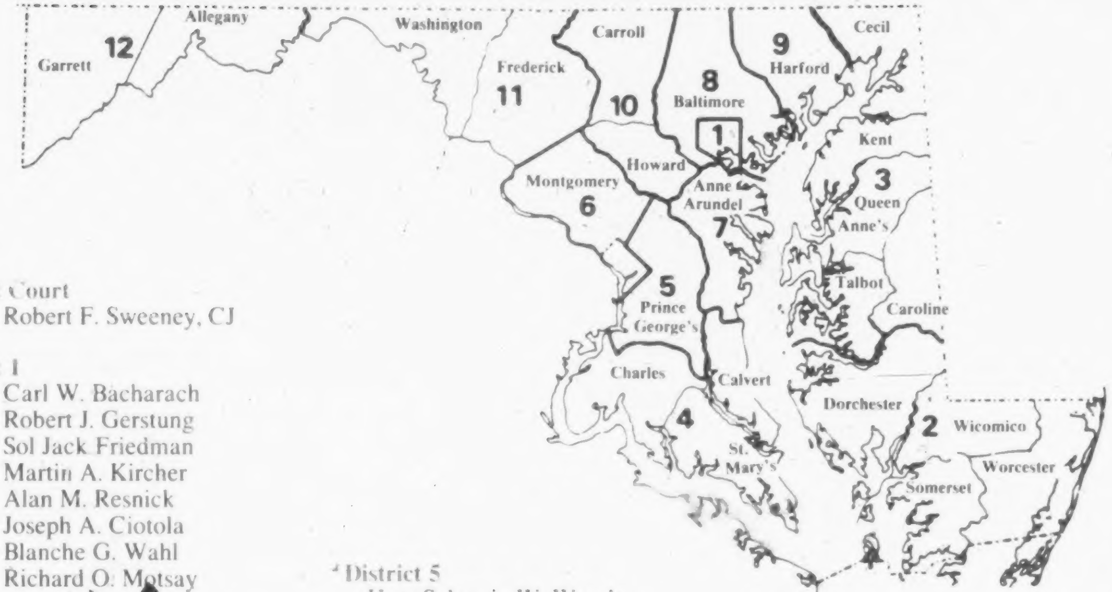
	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	10	8	0	19	0	4	2	5	0	2	3	7	60
Somerset	3	0	0	33	2	3	0	4	0	2	6	10	63
Wicomico	7	7	0	43	3	1	1	31	4	2	0	26	125
Worcester	14	52	0	42	1	7	2	2	3	3	10	36	172
SECOND CIRCUIT													
Caroline	3	8	17	22	0	4	0	11	2	0	0	4	71
Cecil	16	86	0	48	0	5	1	26	0	0	1	4	187
Kent	6	1	0	1	1	13	0	3	0	1	0	5	31
Queen Anne's	0	9	6	20	2	17	1	2	2	1	0	22	82
Talbot	1	7	1	53	2	10	0	0	0	9	0	18	101
THIRD CIRCUIT													
Baltimore	112	419	329	575	15	104	14	48	57	71	0	941	2,685
Harford	7	67	0	195	28	20	1	49	12	15	31	211	636
FOURTH CIRCUIT													
Allegany	0	15	1	115	1	12	0	0	0	4	0	21	169
Garrett	8	8	0	36	1	2	6	7	0	0	0	8	76
Washington	13	25	3	200	14	44	25	50	1	4	0	48	427
FIFTH CIRCUIT													
Anne Arundel	19	364	40	643	41	123	14	123	37	65	383	367	2,219
Carroll	2	119	61	157	11	38	0	4	2	23	0	64	481
Howard	9	108	117	123	11	20	1	5	3	7	0	6	410
SIXTH CIRCUIT													
Frederick	4	37	0	101	9	46	0	0	5	9	0	35	246
Montgomery*	10	703	0	218	32	70	1	20	2	16	18	393	1,483
SEVENTH CIRCUIT													
Calvert	0	45	26	140	4	8	0	0	0	7	0	17	247
Charles	4	56	16	219	4	56	5	47	9	7	0	174	597
Prince George's	54	678	742	1,188	44	159	1	242	81	14	0	1,039	4,242
St. Mary's	0	0	0	23	1	5	0	0	0	0	0	170	199
EIGHTH CIRCUIT													
Baltimore City	520	4,984	0	2,757	10	6	0	10	0	0	0	1,866	10,153
STATE	**822**	**7,806**	**1,359**	**6,971**	**237**	**777**	**75**	**689**	**220**	**262**	**452**	**5,492**	**25,162**

*Juvenile causes for Montgomery County are handled by the District Court.

The District Court

The District Court — Judiciary Map and Members

as of September 1, 1988



District Court
Hon. Robert F. Sweeney, CJ

District 1
Hon. Carl W. Bacharach
Hon. Robert J. Gerstung
Hon. Sol Jack Friedman
Hon. Martin A. Kircher
Hon. Alan M. Resnick
*Hon. Joseph A. Ciotola
Hon. Blanche G. Wahl
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. Paul A. Smith
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. John C. Themelis
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Carol E. Smith
Hon. David W. Young
Hon. Theodore B. Oshrine
Hon. Andre M. Davis
Hon. Joseph P. McCurdy, Jr.

District 2
Hon. Robert D. Horsey
*Hon. Thomas C. Groton, III
Hon. John L. Norton, III
Hon. Richard D. Warren

District 3
Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
*Hon. James C. McKinney
Vacancy

District 4
Hon. Larry D. Lamson
*Hon. Robert C. Nalley
Hon. C. Clarke Raley
Vacancy

District 5
Hon. Sylvania W. Woods
Hon. Francis A. Borelli
Hon. Bess B. Lavine
Hon. Theresa A. Nolan
Hon. C. Philip Nichols, Jr.
Hon. Gerard F. Devlin
*Hon. Steven I. Platt
Hon. John F. Kelly, Sr.
Hon. Larnzell Martin, Jr.
Hon. Thurman H. Rhodes
Vacancy

District 6
Hon. Douglas H. Moore, Jr.
Hon. John C. Tracey
Hon. Stanley Klavan
*Hon. Thomas A. Lohm
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Cornelius J. Vaughey
Hon. Jerry H. Hyatt
Hon. Paul A. McGuckian
Hon. James L. Ryan

District 7
*Hon. Thomas J. Curley
Hon. George M. Taylor
Hon. Robert N. Lucke, Sr.
Hon. Donald M. Lowman
Hon. Lawrence H. Rushworth
Hon. Clayton Greene, Jr.

District 8
Hon. Edward D. Hardesty
Hon. Werner G. Schoeler
Hon. Gerard W. Wittstadt
Hon. John P. Rellas
Hon. William S. Baldwin
*Hon. John H. Garmer
Hon. A. Gordon Boone, Jr.
Hon. Patricia S. Pytash
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Barbara Kerr Howe
Hon. Charles E. Foos, III

District 9
*Hon. Edwin H.W. Harlan, Jr.
Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.

District 10
Hon. Donald M. Smith
*Hon. Francis M. Arnold
Hon. R. Russell Sadler
Hon. James N. Vaughan
Vacancy

District 11
Hon. Darrow Glaser
Hon. James F. Strine
*Hon. Herbert L. Rollins
Hon. Frederick J. Bower

District 12
*Hon. Paul J. Stakem
Hon. Jack R. Turney
Hon. William T. Finan

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*District Administrative Judge

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, replacing a miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded, and has statewide jurisdiction. District Court judges are appointed by the Governor and confirmed by the Senate. They do not stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1987, there were 91 District Court judgeships, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of $2,500, or both; and civil cases involving amounts not exceeding $2,500. It has concurrent jurisdiction with the circuit courts in civil cases over $2,500 to, but not exceeding, $10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

There were 1,061,768 motor vehicle cases received by the District Court during Fiscal 1988. That figure represents an increase of 16.2 percent over Fiscal Year 1987. The increase in motor vehicle cases can be partly attributed to the 15 percent increase in driving while intoxicated cases which increased from 36,832 in Fiscal Year 1987 to 42,367 in Fiscal Year 1988 (Table DC-9). The four largest jurisdictions contributed the greatest number of motor vehicle cases with 553,912 (52.2 percent). Montgomery County contributed the greatest number with 159,867 followed by Baltimore County with 157,527 cases. Prince George's County and Anne Arundel County contributed 147,031 and 89,487 cases, respectively. Baltimore City contributed 104,890 motor vehicle cases. Following the increase in filings, motor vehicle dispositions also increased, by 11.9 percent. There were 837,370 cases processed in Fiscal 1987 compared to 937,502 in Fiscal 1988. Motor vehicle processed cases included 279,699 cases that were tried, 597,235 paid cases, and 60,568 "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases (Table DC-2).

Criminal

The District Court of Maryland received 156,219 criminal filings during Fiscal Year 1988, an increase of 4.7 percent over the 149,157 criminal filings reported for Fiscal Year 1987. Baltimore City contributed the greatest number of filings with 51,894 (33.2 percent). The four largest jurisdictions reported a total of 67,826 criminal filings or 43.4 percent of the criminal cases received. The increase in criminal dispositions was only a slight 0.6 percent, from 143,176 in Fiscal 1987 to 144,060 in Fiscal 1988 (Table DC-7). Of the 144,060 criminal cases processed in Fiscal Year 1988, 52,507 were tried while 91,553 were untried. Baltimore City processed the greatest number of criminal cases with 51,414 or 35.7 percent. The four largest counties accounted for 40 percent of the criminal dispositions with the highest activity in Baltimore County (18,296) followed by Prince George's County with 18,056 cases processed (Table DC-2).

Civil

During Fiscal Year 1988, there were 672,384 civil cases filed in the District Court, an increase of 9.7 percent over the 612,700 filed in Fiscal 1987 (Table DC-8). Landlord/tenant filings accounted for 72.7 percent (488,531) of all civil filings reported for Fiscal 1988. Contract and tort cases accounted for 23 percent (154,776) of the civil filings, while the remaining 29,077 cases (4.3 percent) were categorized as "other" which included attachments before judgment, confessed judgments, and replevin actions. Of the filings reported, only 10.3 percent (69,497) were contested (Table DC-2).

There were also 19,369 special proceedings received during Fiscal 1988 among which were 2,379 emergency hearings, 4,661 domestic abuse cases, and 263 child abuse cases (Table DC-10).

Trends

The District Court reported the highest number of overall cases during its seventeen-year history, thus continuing its trend of an ever-increasing workload. There were 1,753,946 total cases filed or processed during Fiscal Year 1988 compared to 1,593,246 in Fiscal Year 1987, an increase of 10.1 percent. For the fourth consecutive year, increases were reported in all three categories.

Motor vehicle dispositions have increased steadily over the past four years to its present level of 937,502. Contested motor vehicle cases have remained relatively consistent throughout the past few years with over 26 percent of motor vehicle cases being contested from year to year. Montgomery County reported the highest number of processed motor vehicle cases while Baltimore County reported the highest number of contested cases for the fifth consecutive year. Over 44 percent (67,259 out of 150,071) of the cases processed in Baltimore County were tried while 26.8 percent (42,168 out of 157,619) of the cases processed in Montgomery County were tried (Table DC-2). The increase in motor vehicle cases can be partly attributed to the ever-increasing number of DWI cases filed in the District Court from year to year. Driving while intoxicated cases have increased steadily over the past five years to its current level of 42,367 (Table DC-9).

Criminal filings and dispositions have also increased steadily over the years. There was an increase of 4.7 percent in criminal filings, from 149,157 in Fiscal 1987 to 156,219 in Fiscal 1988. The increase in dispositions was not as significant, increasing by only 0.6 percent over the previous fiscal year (Table DC-7). Prince George's County and Baltimore City reported decreases in dispositions in their jurisdictions of 7.6 percent and 2.3 percent, respectively. Although Baltimore City reported a decrease in criminal dispositions, it still continues to process the greatest number with 51,414 or 35.7 percent followed by Baltimore County and Prince George's County with 12.7 percent and 12.5 percent of the total respective dispositions.

Civil case filings have also continued to increase steadily from year to year, with an average annual increase of 5.2 percent. The greatest increase in the past five years was reported in Fiscal Year 1988 with a 9.7 percent increase, from 612,700 in Fiscal 1987 to the current level of 672,384 civil case filings. Landlord and tenant filings continue to constitute the majority of civil filings each year. During Fiscal 1988, there were 488,531 landlord/tenant filings, representing over 72 percent of all civil filings. Baltimore City and Prince George's County contributed the greatest number of landlord/tenant filings as well as overall civil filings. There were 237,517 total civil filings reported in Baltimore City during Fiscal 1988 of which 195,711 or 82.4 percent were landlord/tenant. Prince George's County reported 153,083 civil filings with 116,787 (76.3 percent) being categorized as landlord/tenant. Also increasing steadily are contested cases. During Fiscal 1988, 69,497 or 10.3 percent of all civil cases were contested compared to 48,316 or 7.9 percent in Fiscal 1987.

TABLE DC-1

DISTRICT COURT — CASELOAD BY FISCAL YEAR

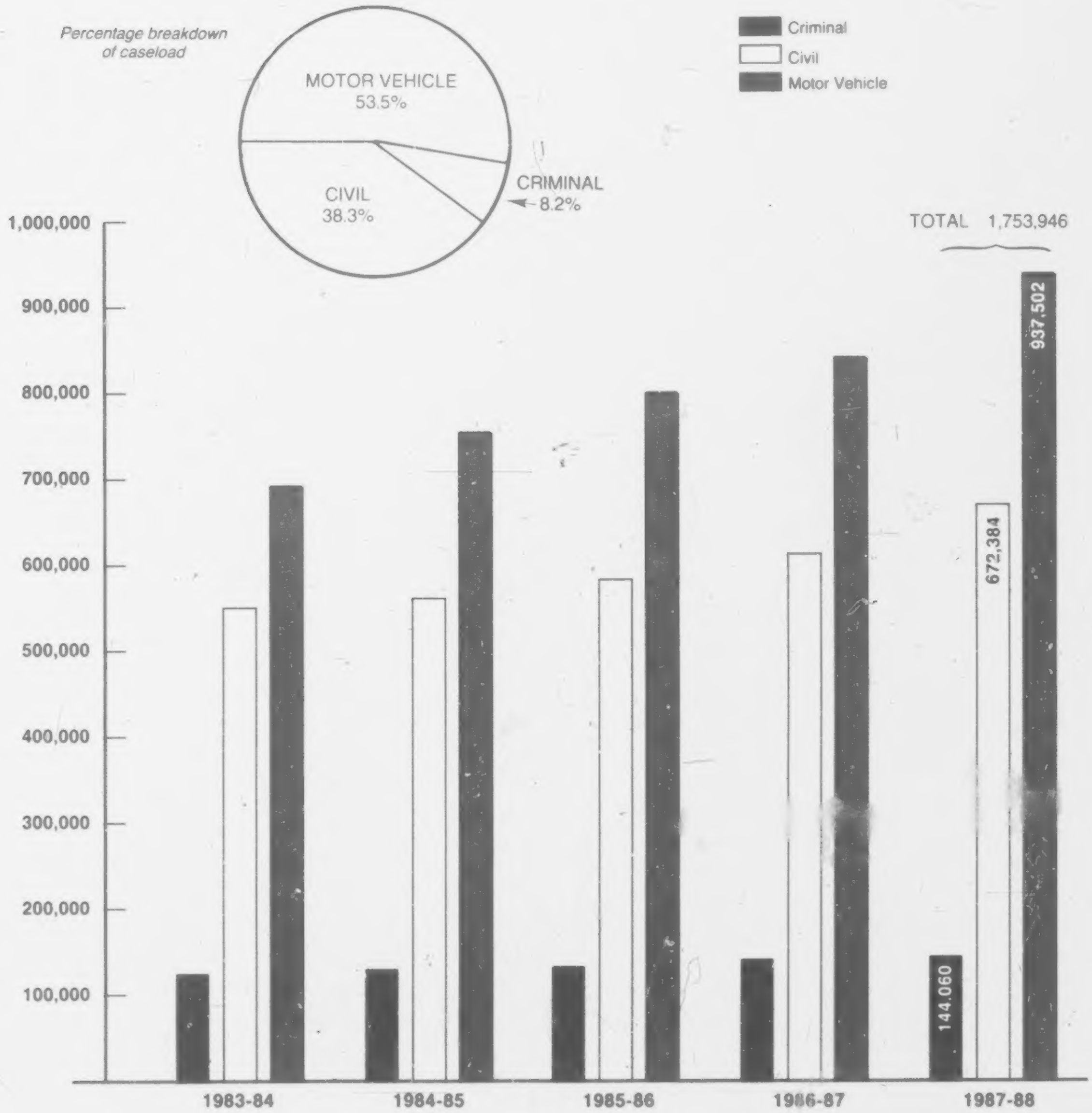


TABLE DC-2

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT					CRIMINAL CASES PROCESSED BY DISTRICT COURT	CIVIL CASES FILED IN THE DISTRICT COURT							TOTAL FILED OR PROCESSED
							Landlord and Tenant		Contract and Tort			Total		
	Cases Received	Cases Tried	Cases Paid	Other Dispositions	Total Cases Processed	No. of Cases	Filed	Contested	Filed	Contested	Other Complaints Filed	Filed	Contested	
DISTRICT 1	**104,890**	**39,442**	**41,494**	**4,766**	**85,702**	**51,414**	**195,711**	**37,240**	**35,384**	**3,142**	**6,422**	**237,517**	**40,382**	**374,633**
Baltimore City	104,890	39,442	41,494	4,766	85,702	51,414	195,711	37,240	35,384	3,142	6,422	237,517	40,382	374,633
DISTRICT 2	**71,312**	**8,856**	**50,422**	**3,406**	**62,684**	**7,396**	**7,008**	**971**	**6,895**	**670**	**989**	**14,892**	**1,641**	**84,972**
Dorchester	12,662	2,420	8,788	359	11,567	1,347	759	32	1,353	113	184	2,296	145	15,210
Somerset	9,138	773	6,670	232	7,675	620	205	54	672	57	124	1,001	111	9,296
Wicomico	23,817	2,108	17,655	967	20,730	2,474	5,538	788	2,942	269	410	8,890	1,057	32,094
Worcester	25,695	3,555	17,309	1,848	22,712	2,955	506	97	1,928	231	271	2,705	328	28,372
DISTRICT 3	**65,437**	**10,214**	**45,393**	**2,735**	**58,342**	**5,502**	**1,616**	**367**	**6,255**	**384**	**1,139**	**9,010**	**751**	**72,854**
Caroline	7,147	1,151	4,894	424	6,469	894	297	46	917	44	157	1,371	90	8,734
Cecil	36,349	4,770	25,382	1,282	31,434	2,482	690	206	2,153	156	391	3,234	362	37,150
Kent	3,115	604	2,136	157	2,897	573	138	40	1,073	32	284	1,495	72	4,965
Queen Anne's	9,674	1,770	6,765	523	9,058	566	163	31	1,053	53	191	1,407	84	11,031
Talbot	9,152	1,919	6,216	349	8,484	987	328	44	1,059	99	116	1,503	143	10,974
DISTRICT 4	**39,961**	**8,428**	**22,093**	**4,817**	**35,338**	**5,434**	**3,591**	**441**	**5,052**	**322**	**1,086**	**9,729**	**763**	**50,501**
Calvert	11,251	3,805	5,511	713	10,029	1,100	206	41	1,083	61	263	1,552	102	12,681
Charles	16,552	3,208	9,411	2,135	14,754	2,726	1,860	181	2,578	127	496	4,934	308	22,414
St. Mary's	12,158	1,415	7,171	1,969	10,555	1,608	1,525	219	1,391	134	327	3,243	353	15,406
DISTRICT 5	**147,031**	**33,406**	**80,196**	**12,562**	**126,164**	**18,056**	**116,787**	**9,816**	**30,193**	**3,576**	**6,103**	**153,083**	**13,392**	**297,303**
Prince George's	147,031	33,406	80,196	12,562	126,164	18,056	116,787	9,816	30,193	3,576	6,103	153,083	13,392	297,303
DISTRICT 6	**159,867**	**42,168**	**105,428**	**10,023**	**157,619**	**10,639**	**37,564**	**1,236**	**20,331**	**2,237**	**3,847**	**61,742**	**3,473**	**230,000**
Montgomery	159,867	42,168	105,428	10,023	157,619	10,639	37,564	1,236	20,331	2,237	3,847	61,742	3,473	230,000
DISTRICT 7	**89,487**	**25,189**	**35,847**	**4,247**	**65,283**	**10,587**	**23,054**	**1,020**	**10,526**	**640**	**1,922**	**35,502**	**1,660**	**111,372**
Anne Arundel	89,487	25,189	35,847	4,247	65,283	10,587	23,054	1,020	10,526	640	1,922	35,502	1,660	111,372
DISTRICT 8	**157,527**	**67,259**	**76,474**	**6,338**	**150,071**	**18,296**	**81,987**	**1,959**	**20,561**	**2,108**	**4,105**	**106,653**	**4,067**	**275,020**
Baltimore	157,527	67,259	76,474	6,338	150,071	18,296	81,987	1,959	20,561	2,108	4,105	106,653	4,067	275,020
DISTRICT 9	**47,135**	**10,604**	**27,180**	**1,579**	**39,363**	**2,915**	**6,183**	**396**	**4,106**	**189**	**621**	**10,910**	**585**	**53,188**
Harford	47,135	10,604	27,180	1,579	39,363	2,915	6,183	396	4,106	189	621	10,910	585	53,188
DISTRICT 10	**86,057**	**19,079**	**48,318**	**4,553**	**71,950**	**5,592**	**8,673**	**345**	**6,220**	**757**	**1,028**	**15,921**	**1,102**	**93,463**
Carroll	19,745	4,991	11,000	1,206	17,197	2,400	1,178	103	2,453	145	404	4,035	248	23,632
Howard	66,312	14,088	37,318	3,347	54,753	3,192	7,495	242	3,767	612	624	11,886	854	69,831
DISTRICT 11	**69,978**	**10,681**	**48,431**	**4,384**	**63,496**	**5,600**	**5,869**	**691**	**7,275**	**506**	**1,456**	**14,600**	**1,197**	**83,696**
Frederick	42,898	7,085	28,975	2,552	38,612	2,618	3,261	254	3,836	297	598	7,695	551	48,925
Washington	27,080	3,596	19,456	1,832	24,884	2,982	2,608	437	3,439	209	858	6,905	646	34,771
DISTRICT 12	**23,086**	**4,373**	**15,959**	**1,158**	**21,490**	**2,629**	**488**	**104**	**1,978**	**380**	**359**	**2,825**	**484**	**26,944**
Allegany	15,171	2,675	10,632	923	14,230	1,871	378	61	1,318	325	251	1,947	386	18,048
Garrett	7,915	1,698	5,327	235	7,260	758	110	43	660	55	108	878	98	8,896
STATE	**1,061,768**	**279,699**	**597,235**	**60,568**	**937,502**	**144,060**	**488,531**	**54,586**	**154,776**	**14,911**	**29,077**	**672,384**	**69,497**	**1,753,946**

TABLE DC-3

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	317,274	330,641	320,613	333,834	374,633
DISTRICT 2					
Dorchester	8,324	9,257	10,365	12,436	15,210
Somerset	6,114	6,026	5,977	6,404	9,296
Wicomico	25,122	25,060	25,901	28,109	32,094
Worcester	16,716	16,790	19,506	25,407	28,372
DISTRICT 3					
Caroline	5,298	9,053	6,701	7,329	8,734
Cecil	28,145	33,197	34,975	32,208	37,150
Kent	4,046	4,938	4,298	4,909	4,965
Queen Anne's	8,145	7,667	9,557	8,614	11,031
Talbot	8,171	9,988	9,928	9,716	10,974
DISTRICT 4					
Calvert	10,339	9,438	9,623	11,660	12,681
Charles	17,782	16,406	18,236	20,536	22,414
St. Mary's	8,675	11,251	11,886	13,503	15,406
DISTRICT 5					
Prince George's	260,429	246,377	270,378	289,480	297,303
DISTRICT 6					
Montgomery	174,031	195,906	211,692	208,649	230,000
DISTRICT 7					
Anne Arundel	87,925	97,685	97,212	97,885	111,372
DISTRICT 8					
Baltimore	203,471	226,227	239,099	256,269	275,020
DISTRICT 9					
Harford	38,235	38,954	40,325	44,328	53,188
DISTRICT 10					
Carroll	14,542	18,387	19,223	21,257	23,632
Howard	46,960	46,120	58,514	63,251	69,831
DISTRICT 11					
Frederick	33,508	36,787	39,127	43,305	48,925
Washington	26,695	29,181	28,748	31,786	34,771
DISTRICT 12					
Allegany	13,440	14,027	13,039	14,890	18,048
Garrett	6,219	8,086	7,458	7,481	8,896
STATE	**1,369,606**	**1,447,449**	**1,512,381**	**1,593,246**	**1,753,946**

TABLE DC-4

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE[a] AS OF JUNE 30, 1988

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Number of Judges	Population Per Judge[b]	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	32,648	10,327	3,726	2,235	16,288
DISTRICT 2						
Dorchester	1	29,900	2,296	11,567	1,347	15,210
Somerset	1	19,600	1,001	7,675	620	9,296
Wicomico	1	72,000	8,890	20,730	2,474	32,094
Worcester	1	37,900	2,705	22,712	2,955	28,372
DISTRICT 3						
Caroline	1	24,900	1,371	6,469	894	8,734
Cecil	2	35,050	1,617	15,717	1,241	18,575
Kent	1	17,000	1,495	2,897	573	4,965
Queen Anne's	1	31,400	1,407	9,058	566	11,031
Talbot	1	27,700	1,503	8,484	987	10,974
DISTRICT 4						
Calvert	1	46,800	1,552	10,029	1,100	12,681
Charles	1	94,900	4,934	14,754	2,726	22,414
St. Mary's	1	71,000	3,243	10,555	1,608	15,406
DISTRICT 5						
Prince George's	10	68,830	15,308	12,616	1,806	29,730
DISTRICT 6						
Montgomery	9[c]	77,778	6,860	17,513	1,182	25,555
DISTRICT 7						
Anne Arundel	6	69,800	5,917	10,881	1,765	18,563
DISTRICT 8						
Baltimore	12	56,750	8,888	12,506	1,525	22,919
DISTRICT 9						
Harford	3	54,867	3,637	13,121	972	17,730
DISTRICT 10						
Carroll	2	58,750	2,018	8,599	1,200	11,817
Howard	3	53,900	3,962	18,251	1,064	23,277
DISTRICT 11						
Frederick	2	68,950	3,848	19,306	1,309	24,463
Washington	2	58,350	3,453	12,442	1,491	17,386
DISTRICT 12						
Allegany	2	36,750	974	7,115	936	9,025
Garrett	1	26,100	878	7,260	758	8,896
STATE	**88**	**52,048**	**7,641**	**10,653**	**1,637**	**19,931**

[a] Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1988.

[b] Population estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

[c] Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-5

CASES FILED OR PROCESSED IN THE DISTRICT COURT PER THOUSAND POPULATION

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	750,900	316	114	68	498
DISTRICT 2					
Dorchester	29,900	77	387	45	509
Somerset	19,600	51	392	32	475
Wicomico	72,000	123	288	34	445
Worcester	37,900	71	599	78	748
DISTRICT 3					
Caroline	24,900	55	260	36	351
Cecil	70,100	46	448	35	529
Kent	17,000	88	170	34	292
Queen Anne's	31,400	45	288	18	351
Talbot	27,700	54	306	36	396
DISTRICT 4					
Calvert	46,800	33	214	24	271
Charles	94,900	52	155	29	236
St. Mary's	71,000	46	149	23	218
DISTRICT 5					
Prince George's	688,300	222	183	26	431
DISTRICT 6					
Montgomery	700,000	88	225	15	328
DISTRICT 7					
Anne Arundel	418,800	85	156	25	266
DISTRICT 8					
Baltimore	681,000	157	220	27	404
DISTRICT 9					
Harford	164,600	66	239	18	323
DISTRICT 10					
Carroll	117,500	34	146	20	200
Howard	161,700	74	339	20	433
DISTRICT 11					
Frederick	137,900	56	280	19	355
Washington	116,700	59	213	26	298
DISTRICT 12					
Allegany	73,500	26	194	25	245
Garrett	26,100	34	278	29	341
STATE	**4,580,200**	**147**	**205**	**31**	**383**

*Population estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

TABLE DC-6

FIVE-YEAR COMPARATIVE TABLE MOTOR VEHICLE CASES PROCESSED BY THE DISTRICT COURT

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	61,421	65,938	62,439	70,816	85,702
DISTRICT 2					
Dorchester	5,748	6,367	7,663	9,007	11,567
Somerset	5,011	4,804	4,602	4,897	7,675
Wicomico	18,990	17,490	18,201	18,045	20,730
Worcester	13,028	12,388	14,425	19,769	22,712
DISTRICT 3					
Caroline	3,779	7,449	4,668	5,256	6,469
Cecil	23,998	28,859	30,204	27,080	31,434
Kent	2,669	3,294	2,425	2,986	2,897
Queen Anne's	6,438	6,019	7,972	6,634	9,058
Talbot	6,632	8,236	8,019	7,545	8,484
DISTRICT 4					
Calvert	7,929	7,110	7,176	8,826	10,029
Charles	13,251	11,668	12,669	13,715	14,754
St. Mary's	6,499	8,673	8,828	9,440	10,555
DISTRICT 5					
Prince George's	114,268	104,587	113,503	121,690	126,164
DISTRICT 6					
Montgomery	115,080	133,066	148,355	143,200	157,619
DISTRICT 7					
Anne Arundel	49,594	55,735	57,193	55,815	65,283
DISTRICT 8					
Baltimore	106,617	130,113	135,422	141,929	150,071
DISTRICT 9					
Harford	26,631	27,921	29,013	31,771	39,363
DISTRICT 10					
Carroll	9,958	13,789	14,304	15,928	17,197
Howard	35,348	32,949	44,826	49,414	54,753
DISTRICT 11					
Frederick	26,550	29,229	31,776	34,752	38,612
Washington	19,364	21,374	20,425	21,867	24,884
DISTRICT 12					
Allegany	9,960	10,736	9,574	11,004	14,230
Garrett	4,807	6,718	6,181	5,984	7,260
STATE	**693,570**	**754,512**	**799,863**	**837,370**	**937,502**

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED PROCESSED IN THE DISTRICT COURT

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	48,237	48,760	48,586	52,619	51,414
DISTRICT 2					
Dorchester	930	1,115	1,097	1,118	1,347
Somerset	497	540	582	601	620
Wicomico	1,680	1,618	1,995	1,976	2,474
Worcester	2,036	2,208	2,800	3,224	2,955
DISTRICT 3					
Caroline	498	579	808	921	894
Cecil	1,694	1,790	1,803	2,122	2,482
Kent	355	490	501	512	573
Queen Anne's	508	544	544	580	566
Talbot	535	687	708	921	987
DISTRICT 4					
Calvert	783	914	1,017	1,140	1,100
Charles	1,630	1,958	2,148	2,543	2,726
St. Mary's	839	741	1,037	1,385	1,608
DISTRICT 5					
Prince George's	19,866	20,020	17,292	19,534	18,056
DISTRICT 6					
Montgomery	7,776	9,519	9,762	9,507	10,639
DISTRICT 7					
Anne Arundel	7,989	8,461	9,996	10,875	10,587
DISTRICT 8					
Baltimore	17,182	15,429	17,291	17,199	18,296
DISTRICT 9					
Harford	2,842	2,560	2,742	2,892	2,915
DISTRICT 10					
Carroll	1,705	1,653	1,732	2,021	2,400
Howard	2,842	3,029	3,043	3,338	3,192
DISTRICT 11					
Frederick	2,302	2,452	2,257	2,500	2,618
Washington	1,915	2,247	2,258	3,055	2,982
DISTRICT 12					
Allegany	1,723	1,737	1,669	1,903	1,871
Garrett	604	603	554	690	758
STATE	**126,968**	**129,654**	**132,222**	**143,176**	**144,060**

TABLE DC-8

FIVE-YEAR COMPARATIVE TABLE CIVIL CASES FILED IN THE DISTRICT COURT

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	207,616	215,943	209,588	210,399	237,517
DISTRICT 2					
Dorchester	1,646	1,775	1,605	2,311	2,296
Somerset	606	682	793	906	1,001
Wicomico	4,452	5,952	5,705	8,088	8,890
Worcester	1,652	2,194	2,281	2,414	2,705
DISTRICT 3					
Caroline	1,021	1,025	1,225	1,152	1,371
Cecil	2,453	2,548	2,968	3,006	3,234
Kent	1,022	1,154	1,372	1,411	1,495
Queen Anne's	1,199	1,104	1,041	1,400	1,407
Talbot	1,004	1,065	1,201	1,250	1,503
DISTRICT 4					
Calvert	1,627	1,414	1,430	1,694	1,552
Charles	2,901	2,780	3,419	4,278	4,934
St. Mary's	1,337	1,837	2,021	2,678	3,243
DISTRICT 5					
Prince George's	126,295	121,770	139,583	148,256	153,083
DISTRICT 6					
Montgomery	51,175	53,321	53,575	55,942	61,742
DISTRICT 7					
Anne Arundel	30,342	33,489	30,023	31,195	35,502
DISTRICT 8					
Baltimore	79,672	80,685	86,386	97,141	106,653
DISTRICT 9					
Harford	8,762	8,473	8,570	9,665	10,910
DISTRICT 10					
Carroll	2,879	2,945	3,187	3,308	4,035
Howard	8,770	10,142	10,645	10,499	11,886
DISTRICT 11					
Frederick	4,656	5,106	5,094	6,053	7,695
Washington	5,416	5,560	6,065	6,864	6,905
DISTRICT 12					
Allegany	1,757	1,554	1,796	1,983	1,947
Garrett	808	765	723	807	878
STATE	**549,068**	**563,283**	**580,296**	**612,700**	**672,384**

TABLE DC-9

FIVE-YEAR COMPARATIVE TABLE DRIVING WHILE INTOXICATED CASES RECEIVED BY THE DISTRICT COURT OF MARYLAND

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	3,007	3,240	2,875	2,825	2,947
DISTRICT 2					
Dorchester	288	290	457	405	357
Somerset	255	228	199	162	277
Wicomico	766	577	467	522	642
Worcester	770	772	780	908	813
DISTRICT 3					
Caroline	154	164	172	194	229
Cecil	839	813	804	802	854
Kent	96	139	158	213	217
Queen Anne's	248	282	284	278	304
Talbot	454	439	363	306	322
DISTRICT 4					
Calvert	623	560	569	766	825
Charles	528	552	683	822	1,242
St. Mary's	527	573	509	488	682
DISTRICT 5					
Prince George's	3,960	4,081	5,128	6,466	6,647
DISTRICT 6					
Montgomery	3,414	5,364	5,301	5,117	5,674
DISTRICT 7					
Anne Arundel	2,826	3,233	3,514	5,453	7,219
DISTRICT 8					
Baltimore	4,022	4,212	4,368	4,287	4,645
DISTRICT 9					
Harford	1,012	1,070	1,350	1,283	1,511
DISTRICT 10					
Carroll	775	912	549	536	739
Howard	2,156	1,472	2,135	2,114	2,767
DISTRICT 11					
Frederick	1,040	1,054	1,091	1,266	1,525
Washington	638	798	768	922	1,002
DISTRICT 12					
Allegany	681	485	523	467	522
Garrett	215	242	255	230	405
STATE	**29,294**	**31,552**	**33,302**	**36,832**	**42,367**

TABLE DC-10

THREE-YEAR COMPARATIVE TABLE EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1988

	Emergency Hearings			Domestic Abuse		
	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88
DISTRICT 1						
Baltimore City	299	400	550	1,890	1,848	1,742
DISTRICT 2						
Dorchester	8	20	20	12	21	20
Somerset	10	20	10	11	20	7
Wicomico	27	47	58	92	99	75
Worcester	33	34	37	29	24	32
DISTRICT 3						
Caroline	3	7	3	16	18	27
Cecil	25	42	31	83	68	86
Kent	10	8	15	10	6	9
Queen Anne's	6	7	3	12	27	19
Talbot	7	8	20	3	7	14
DISTRICT 4						
Calvert	19	19	7	13	11	26
Charles	16	22	27	1	3	11
St. Mary's	30	49	49	46	50	67
DISTRICT 5						
Prince George's	569	547	546	385	496	614
DISTRICT 6						
Montgomery	229	302	145	324	304	344
DISTRICT 7						
Anne Arundel	209	233	274	313	326	387
DISTRICT 8						
Baltimore	327	371	391	570	579	656
DISTRICT 9						
Harford	36	28	14	26	28	15
DISTRICT 10						
Carroll	24	25	34	45	37	53
Howard	56	38	34	100	97	85
DISTRICT 11						
Frederick	50	42	48	68	113	84
Washington	18	18	16	92	102	97
DISTRICT 12						
Allegany	29	33	35	102	88	111
Garrett	16	11	12	40	48	80
STATE	**2,056**	**2,331**	**2,379**	**4,283**	**4,420**	**4,661**

Judicial Administration

Judicial Administration

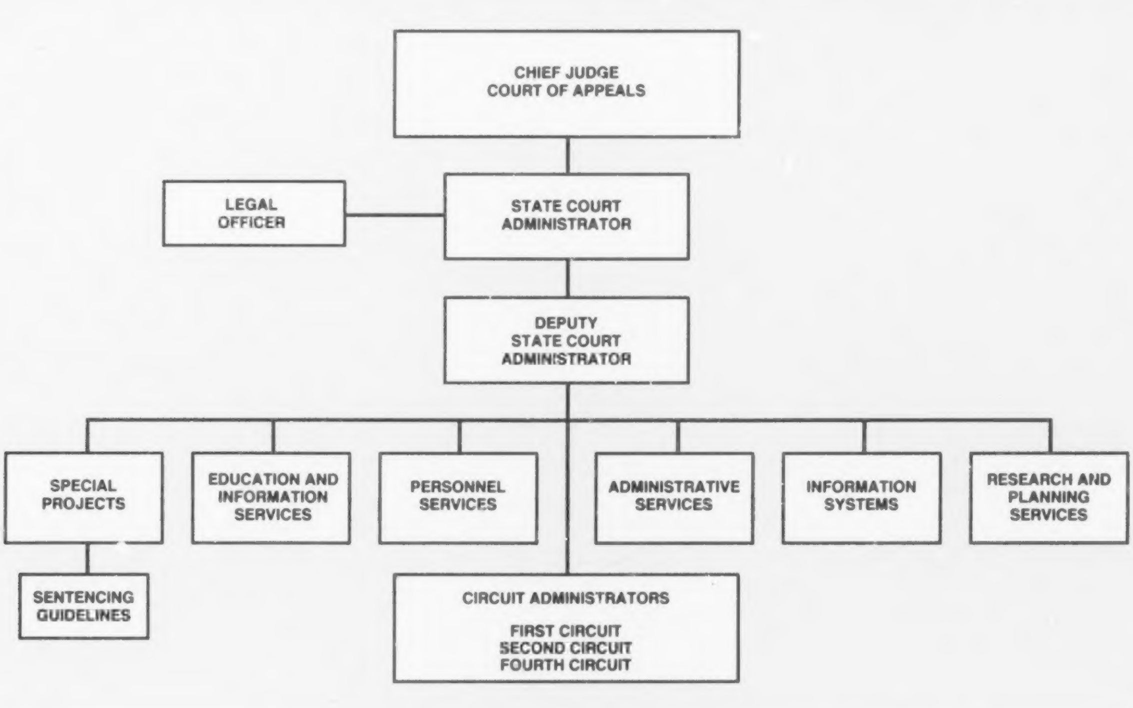
Administrative Office of the Courts

In 1944, Maryland recognized the need to provide administrative direction to the Judicial branch when Article IV, § 18(b), of the Constitution, was ratified by the voters providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Almost 35 years ago, the Maryland legislature took the essential step to provide the administrative and professional staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The step was to establish the Administrative Office of the Courts under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, with duties and responsibilities set forth in § 13-101 of the Courts and Judicial Proceedings Article.

The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. In addition, the Administrative Office serves as "Secretariat" to the Appellate and Trial Court Judicial Nominating Commissions established pursuant to Executive Order of the Governor. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain important activities of the Administrative Office of the Courts during the last twelve months.



Administrative Office of the Courts

Judicial Education and Information

1988 Programs. The Judicial Institute of Maryland offered seventeen courses during 1988 for the experienced bench plus a three and one-half day new trial judge orientation for newly appointed jurists. In addition to programs on marital property, contract law, and hearsay, fresh treatments of sentencing, DWI cases, and mental health issues were included in the 1988 curriculum. Practicums in trial practice, instructor development, and judicial writing supplemented courses on experts in family issues, fifth amendment, humanities, and DWI in juvenile court.

Twenty Maryland jurists joined their counterparts in New Jersey and Delaware for a commercial transactions interstate conference in Somers Point, New Jersey. Plans are under way for Maryland to host the fifth interstate conference in Baltimore in April 1989. The topics of this conference are hearsay and criminal constitutional law.

Maryland's juvenile masters convened in Timonium on March 10 and 11, 1988, for a workshop on juvenile court treatment alternatives and a fourth amendment review. Also, the Judicial Institute helped the newly formed Orphans' Court Association in planning two educational programs during its 1987-1988 Term.

Finally, Judicial Institute instructors made presentations at the December and June Fifth Circuit meetings.

Instructor and Financial Resources. The Board of Directors enlisted the aid of ninety-seven highly qualified members of the federal and state bench, the private and public bar, and other professions to teach during 1988.

Thirteen of these instructors participated in the Institute's second instructor development workshop in June. Class members learned to incorporate adult education techniques during fifteen-minute capsule presentations of current teaching assignments. Eventually all Judicial Institute instructors will be trained in participative teaching methods and the effective use of audio-visual teaching aids.

The Institute's videotape lending library now numbers 235 titles. These videotapes are borrowed by newly appointed judges to supplement their on-the-bench orientation, by experienced judges for review, by members of other state judiciaries, and by members of the Maryland State Bar Association. New taping projects are a mock trial for evidentiary rulings practice, a demonstration of a juvenile hearing, a jury voir-dire, and a demonstration of handling jurors' questions during trial.

The United States Department of Transportation, the Juvenile Justice Advisory Council, and the Maryland Humanities Council provided consultative and financial support for four 1988 programs. During 1989 the Judicial Institute will be submitting proposals for funding of an executive development course and a juvenile court workshop. Outside funding allows the Institute to pay honorariums to nonlawyer faculty and to develop programs for juvenile masters who are paid by local jurisdictions. The grants supplement money appropriated for educational expenses by the Maryland General Assembly.

Public Information Projects. The Public Awareness Committee of the Maryland Judicial Conference and the Maryland State Bar Association co-sponsored the annual high school mock trial competition. The mock trial provides an opportunity for students, attorneys, and judges to work together on a joint educational project. The winning teams this year were from Lake Clifton/Eastern High School in Baltimore City and Pikesville High School in Baltimore County. Forty-four Maryland judges presided over the mock trials of ninety-five teams during the school year.

Special Joint Committee on Gender Bias in the Courts. The Special Joint Committee on Gender Bias in the Courts held twenty committee and subcommittee meetings during the past year. As part of its mission to examine if gender bias exists in the Maryland courts and if it does how to eliminate it, the committee held seven public hearings around the state in September and October of 1987. It also commissioned the Survey Research Center at the University of Maryland to develop questionnaires for attorneys, judges, and court personnel. The return rate on the questionnaires was eighty percent for judges, fifty percent for attorneys, and fifty percent for court employees. All of this data and other materials are being analyzed now by the committee and its subcommittees which will continue to meet during the summer and fall.

The committee will issue a report with its findings and recommendations in the spring of 1989. Its term was extended for a second year by Chief Judge Murphy and the president of the Maryland State Bar Association due to the volume of material the committee has to examine. This body of four judges and five attorneys also plans to develop a program for the 1989 Maryland Judicial Conference.

Maryland is one of twenty-two states that has commissioned a gender bias committee. We will be the fourth state to print a report.

Judicial Information Systems

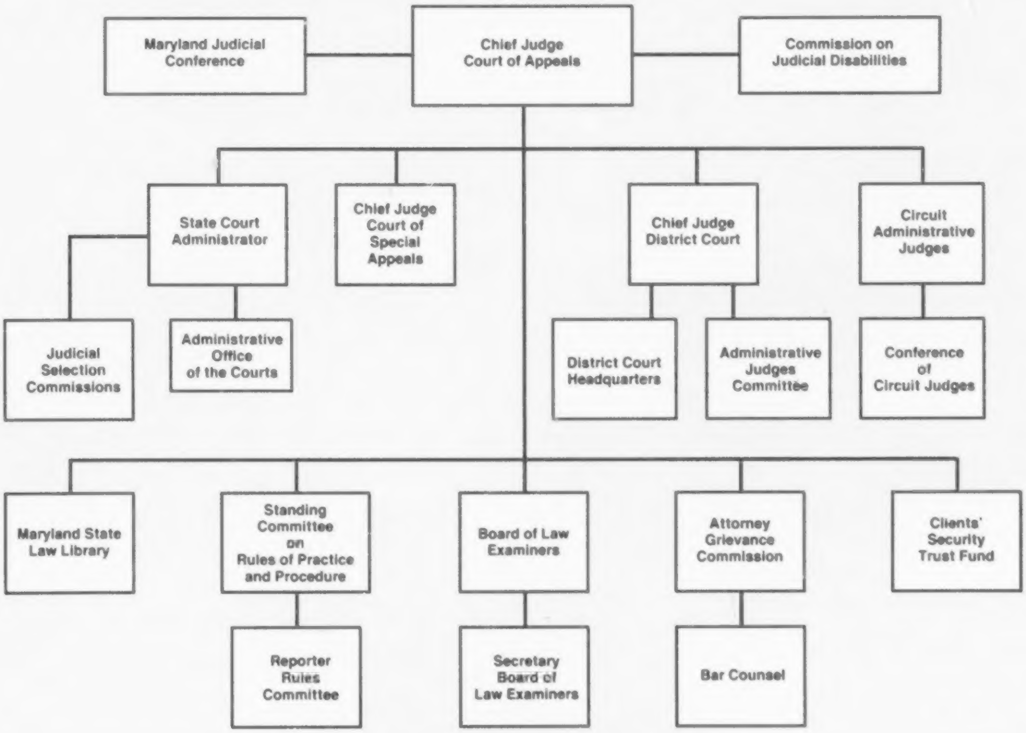
Fiscal Year 1988 continued marked improvement in many areas for the Judicial Information Systems.

The project to automate the circuit courts progressed to the point of vendor selection and definition of specifications. The implementation of the pilot phase will begin in FY '89. Cooperative efforts by the Administrative Office of the Courts and the State Comptroller's Office, who are joint sponsors of the project, will continue over a multi-year period. The quality of the data that will be generated from the proposed system will greatly enhance the accuracy of statistics from the circuit courts. Also, the system analysis and design has been completed for the criminal system that tracks offenders through the

Circuit Court for Baltimore City. Programming will commence during the first quarter of FY '89 with the project completion scheduled for the first quarter of FY '90.

Enhancements to the District Court Traffic and Criminal System continued with improved management reporting as well as statistics relating to DWI offenses. Also, within the criminal and traffic system, a warrant system was implemented that allows for inquiry of warrants issued within the system. There are presently in excess of 20,000 warrant transactions processed on an annual basis. A change in the traffic and warrant system was requested by the State of Maryland Motor Vehicle Administration (SMVA) that accommodates the larger driver license numbers generated by such states as New York and New Jersey. Analysis and on-line programming specifications were completed for a new District Court Civil System with programming expected to commence in July 1988 and project completion expected in the first quarter of FY '90. Requirements Analysis, a Conceptual Design, an Automation Plan, and basic detailed requirements for a District Court Bar Code/Scanning Project affecting both the criminal and traffic systems were initiated. Areas such as commissioner activities, docketing and accounts receivable were demonstrated to administrative judges in the third quarter of FY '88. A further analysis was implemented dealing with affected groups such as State's attorneys, law enforcement, and court clerks to allow for their inclusion in the requirements analysis. This project, which will have far-reaching effects in alleviating some of the burdensome paperwork associated with many court activities, is expected to be implemented statewide in the first quarter of FY '90. This tremendous improvement in methodology, not only in hardware and software but also in procedures, requires an extensive training program before implementation.

There has been an ever increasing demand for attorneys to be given inquiry access to information systems maintained by the Judicial Data Center (JDC) on cases in process by the Circuit Court for Baltimore City as well as the District Court. Based on this need, as well as the requirement for JDC to be operationally on-line 24 hours/day, 7 days/week, certain telecommunications modifications were implemented. This allowed for enhanced reliability of the network in addition to improved dial-up communications. Implementation of this network in June 1988 allowed those attorneys involved in asbestos litigation, specifically in the greater Baltimore area, access to information through telephone lines utilizing their own


Maryland Judicial Conference
Chief Judge Court of Appeals
Commission on Judicial Disabilities
State Court Administrator
Chief Judge Court of Special Appeals
Chief Judge District Court
Circuit Administrative Judges
Judicial Selection Commissions
Administrative Office of the Courts
District Court Headquarters
Administrative Judges Committee
Conference of Circuit Judges
Maryland State Law Library
Standing Committee on Rules of Practice and Procedure
Board of Law Examiners
Attorney Grievance Commission
Clients' Security Trust Fund
Reporter Rules Committee
Secretary Board of Law Examiners
Bar Counsel

Administrative Organization

intelligent work stations. The Judicial Information Systems Unit is continuing analysis to determine future impact to the Judiciary by allowing attorneys the capability to file documents within the courts in addition to extended dial-up access.

Judicial Special Projects

The Special Projects section meets operational needs of the State courts and the Administrative Office of the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals. The Sentencing Guidelines section is an additional responsibility of the Special Projects section.

This section provides assistance and coordination of the Judicial Nominating Commissions Orientation Conference for the new members of the various nominating commissions, conducts the election of the attorney members of the nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Staff was provided for the Judicial Conference Civil Committee. The *Policy and Procedures Manual* is routinely updated throughout the year.

The *Annual Report of the Maryland Judiciary 1986-1987* was prepared by this unit in conjunction with the Judicial Research and Planning section.

Judicial Research and Planning Services

Providing research and management information pertaining to the operations of the Maryland court system is one of the primary functions of the Judicial Research and Planning Unit in the Administrative Office of the Courts. Among its regularly assigned duties, the unit is responsible for: the annual compilation and preparation of workload data on all court levels for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to the Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the *Sixty-Day Reserved Case Report* on all circuit courts in Maryland; the quarterly preparation of judicial workload reports; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual preparation of data and analyses found in the *AOC Equal Employment Opportunity and Affirmative Action Program*; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

Over the past several years, staff members in the unit have participated in and conducted a number of research projects at the requests of the Chief Judge of the Court of Appeals and the State Court Administrator. On April 1, 1988, Governor Schaefer signed a new Executive Order which reorganized judicial nominating commissions throughout the State. Staff from the unit assisted in the reorganization which involved the orientation of new commission members, the election of lawyer members to trial court commissions and the development of a new training manual. The unit also contributed significant staff support to several judicial committees. These included: Judicial Ethics Committee—Proposed Code of Conduct for Judicial Appointees; Ciotola Committee—A special eight-member judicial committee studying District Court jury trial prayers; and an Adoption Subcommittee of the Maryland Judicial Conference studying uniform procedures in independent adoptions. In Fiscal Year 1989, staff support to Judicial Conference Committees and the Appellate and Trial Court Judicial Nominating Commissions will continue along with involvement in other projects.

Judicial Administrative Services

The Judicial Administrative Services office prepares and monitors the annual Judiciary budget, excluding the District Court of Maryland. All accounts payable for the Judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the Judiciary. As of July 1, 1986, the Administrative Office accounting system was totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal building is maintained.

Inventory controls as of July 1, 1987, were established for all furniture and equipment used by the Judiciary, which is an automated control system. All inventory will have bar codes that will be recorded by an operator using a scanning device which will automatically record furniture or equipment into the system. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the Judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Unit continues its research in the areas of employee relations and refinement of procedures and processes for the timely recognition of personnel and their achievements. New programs have been developed in the areas of service and performance awards and are ready for implementation.

The past year has been spent in the improvement of the computerized Time and Attendance Reporting System to reflect changes mandated by legislation. The system in its present state is believed to be the most complete in terms of the types of information it provides to both management and employees. Several executive branch agencies have now adopted our time and attendance system. To agencies without mainframe or mini-computers, we are down-loading the program to make it usable on personal computers with 3.5 inch or 5.25 inch drive systems.

As a service to prospective retirees, the Personnel Unit now provides each with an estimate of social security benefits to aid in the retirement planning process. This micro-computer based software program computes old age, death and disability benefits under any Social Security law in effect since June 1978. Initial response to the new service has been overwhelming.

We have reviewed our human resources information system now in place and have found that it can be susbtantially improved by the adoption of new software which has a proven track record. The system we plan to adopt is able to generate 50 standard menu-driven reports with the capability of many more custom reports generated on an *ad hoc* basis utilizing standard commercially available software. The use of this type of software is relatively easy because one is able to create a wide variety of reports quickly without programming. The use of such software eliminates the use of in-house programming personnel which can be quite costly and whose services could best be used programming complex solutions for main-frame and mini-computer application.

The Judicial Personnel Unit will continue to explore all of the new technologies both in terms of hardware and software in the human resources information system areas for possible use. Only in this way will we be able to provide management and employees with the most efficient and effective personnel services they need and deserve.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of the guidelines exists in several forms. All appointees to the circuit court receive an orientation regarding the function and use of sentencing guidelines. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. An instructional videotape is available for every jurisdiction and is sent upon request. As work sheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines department, this data is added to the main file for future analysis.

Fort McHenry, Baltimore City

The revised Sentencing Guidelines manual has been distributed and affects all criminal felony sentencing for all crimes committed on or after July 1, 1987. Any crime committed prior to that date is sentenced by using the earlier edition of the manual.

There is a special committee to study the possibility of Sentencing Guidelines for DWI cases. This committee is composed of judges from both the circuit and District Courts as well as representatives from related government agencies and MADD.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentaiton of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Most of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: analysis of the nature and extent of the circuit court caseload, additional judgeships, assignment of active and former judges, subjects covered by the Conference of Circuit Judges, and legislation enacted in 1988 affecting the circuit courts.

The 1986-1987 Annual Report reported that the statewide assessment of data processing needs of the clerks' offices, primarily where data processing was minimally in place, was completed. During the period covered by this report, reviews of proposals from several vendors to address these needs were completed, a selection made and contract awarded to provide the necessary hardware, system software and applications software. As of this report, a Data Processing Steering Committee, consisting of clerks, representatives from the Administrative Office of the Courts, State's Attorneys Association, Department of Public Safety, and the Comptroller's Office are designing a system to implement in two pilot sites, namely in Anne Arundel County for case scheduling and assignment and in Carroll County for land records and financial applications.

Locally, the Circuit Court for Prince George's County is enhancing its extensive existing use of data processing in a number of areas. It is installing terminals in judges' offices which will provide word and data processing capabilities and be connected to the county's office automation network. One of the features will permit electronic mail communication between the court and the county government. In addition, the terminals will permit judges to have access into the case management systems for case-related and docket-related information. Also, the court is completing the automation of the assignment component of its case management system and updating its automated jury selection and management system and has reduced the jury term from two weeks to one.

Statewide, a number of circuit courts engaged in space programs which have called for the completion of expanded facilities or the renovation of existing areas. The Prince George's County Upper Marlboro Justice Facility, consisting of a State multi-purpose building, is now in the design stage. Charles County and St. Mary's County Circuit Courts likewise are involved in expansion of their respective courthouses. Finally, court facilities in the two buildings in Baltimore City are undergoing considerable renovations with the addition of new courtrooms, chambers, jury rooms, lawyer conference rooms, installation of elevators, and renovation of a juvenile detention room. An important feasibility study for the comprehensive restoration and renovation of the Clarence M. Mitchell, Jr., Courthouse is getting under way.

District Court of Maryland

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

The only purpose of any judicial system is, and must be, the promotion of justice, and no court should ever operate for the purpose of producing revenues.

And yet, there must be a business side to the Court, for the judges and nonjudicial personnel who labor in the Court must be provided with the facilities in which to perform their duties, and the equipment, furniture and supplies necessary for their work. Additionally, judges and nonjudicial personnel alike must be properly compensated, like other officers and employees of State government, and a mechanism must be in place to see that they are provided with appropriate benefits.

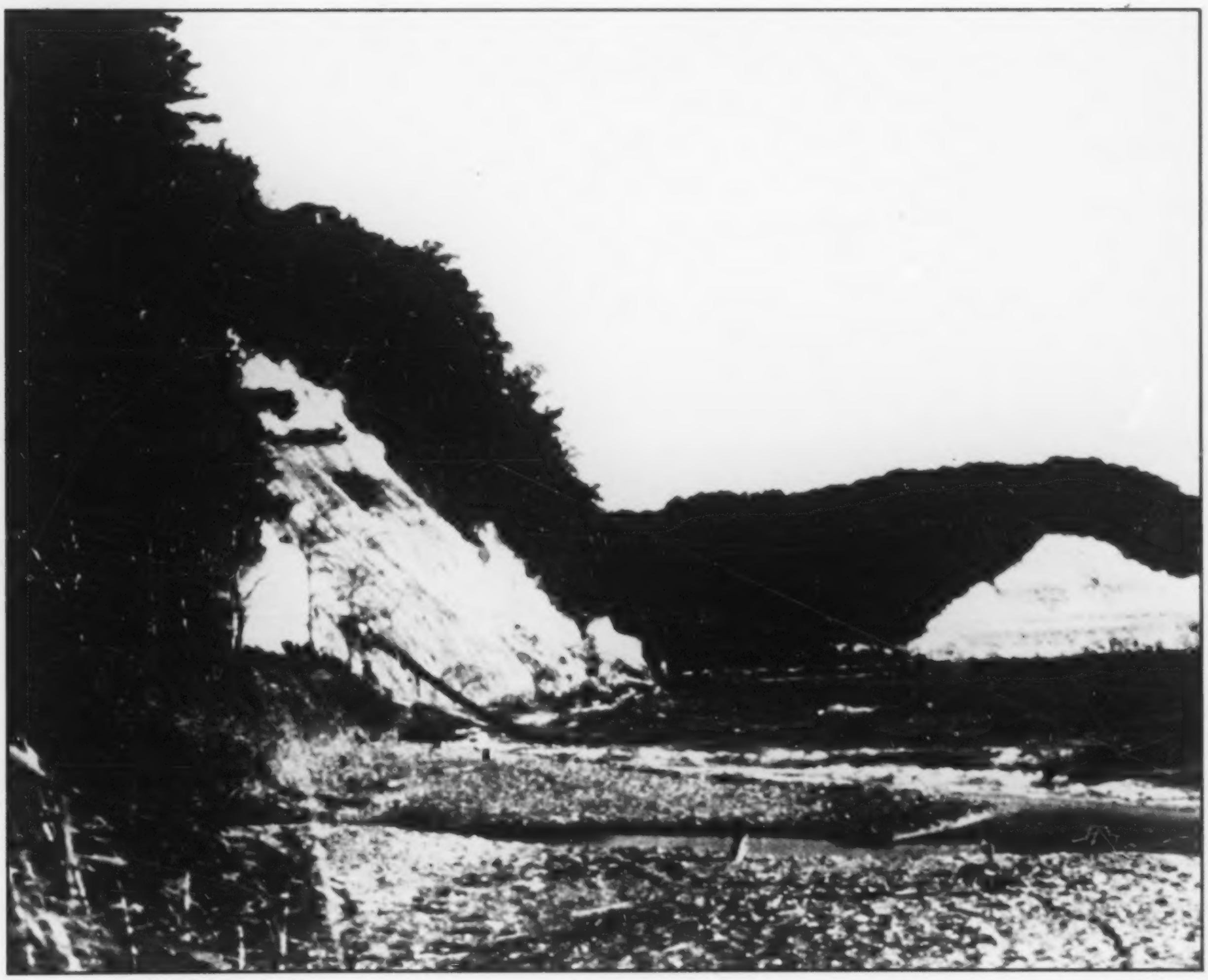
Also, a process must be in place to see that cases are handled properly from filing through adjudication, and procedures are necessary to ensure that the tens of millions of dollars collected by the Court each year in costs and fines are properly accounted for, safeguarded and transmitted to the Treasury of the State of Maryland.

The 1971 implementing legislation for the District Court provided for a Chief Judge, 78 trial judges and 678 clerks, commissioners, bailiffs, constables and secretaries divided among Maryland's 23 counties and Baltimore City. In the first year of operation, 778,000 cases were filed in the Court. The original budget for the Court was $9,852,000, and the Court's revenues in its first full year of operation amounted to $11,400,000. Down through the years there has been an increase in every aspect of the Court's operation. The budget for 1988, just concluded, was $46,797,000; Court revenues increased to $47,731,000. The total caseload was 1,876,000, more than double the original figures, with the traffic caseload for the first time in the State's history exceeding 1,000,000 citations issued.

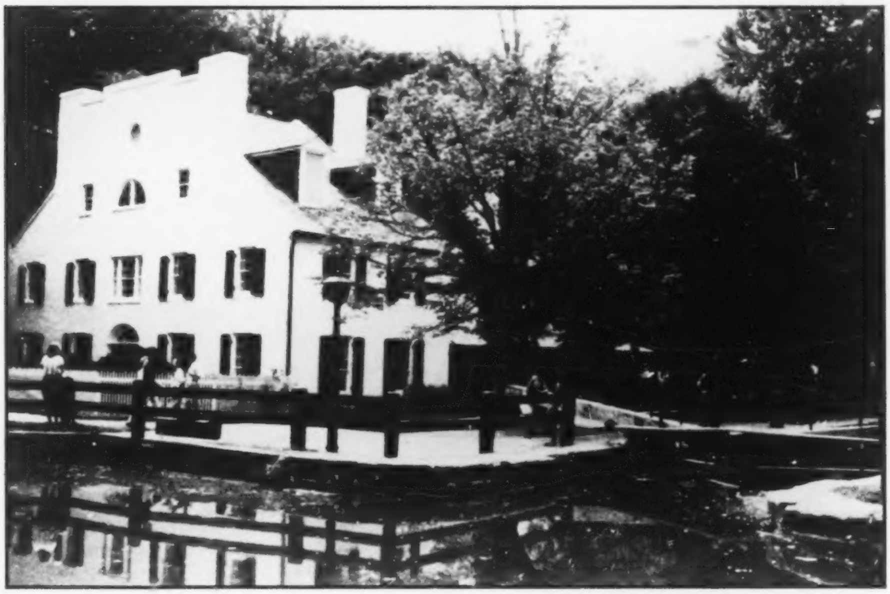
It is a remarkable compliment to the quality of the judges and nonjudges in the District Court to note that while the caseload has more than doubled during the seventeen year life of the Court, there has been only a 23 percent increase in the number of judges and a 39 percent increase in our complement of nonjudicial personnel. In Fiscal 1972, the first year of operation, each of the 73 judges then sitting tried an average of 3,800 cases, and the Court's nonjudicial personnel each processed an average of 1,148 cases. In Fiscal 1988, just concluded, the 90 trial judges of the District Court tried an average of 5,600 cases, and there were 1,972 cases processed for each nonjudicial employee in the Court.

The increase in cases tried per judge and cases processed per clerk is attributable to many factors. First and foremost is the quality and dedication of the judges and employees. Second is improved working conditions, facilities and equipment. Thirdly is the utilization of the most modern computer and data processing techniques in the country, brought about by the concerted efforts of the administrators of the Court, the Judicial Information Systems of the Administrative Office of the Courts, and the Court's personnel in the field.

The data processing systems now in place in the District Court for the handling of motor vehicle and criminal cases have received attention and praise nationwide from courts beset with similar problems, and we are beginning to implement similar computer techniques with the Court's heavy civil caseload. Moreover, the Court is beginning the implementation of a bar coding system, now in use by only one or two of the courts in the nation, which should further serve to expand the capabilities of the Court's existing work force, while reducing the burdens on those dedicated individuals.



Calvert Cliffs



C&O Canal, Montgomery County

Assignment of Judges

Under Article IV, § 18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals has authority to make temporary assignments of active judges to the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the State.

Section 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled. Yet, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted eleven years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active full-time judges and, thus, disrupting schedules and delaying case disposition. In Fiscal 1988, assistance to the circuit courts was provided primarily by former judges. However, the Circuit Administrative Judges, pursuant to the Maryland Rules, moved judges within their circuits and exchanges of judges between circuits took place where there was a need to assign judges outside the circuit to handle specific cases. Further, assistance to the circuit courts was provided by judges of the District Court in Fiscal 1988. This assistance consisted of 292 judge days of which 178 were provided to the Circuit Court for Baltimore City.

A pool of former judges eligible to be recalled to the circuit courts sat for the greatest number of judge days since the legislation was enacted. In the area of pretrial settlement, an effort which began last fiscal year in two of the circuit courts, retired judges acting as settlement masters in civil money-damage suits and some domestic disputes, mediated the settlement of cases without the necessity of a trial. This was expanded with funds appropriated by the legislature in Fiscal Year 1988 and amounted to 315 judge days. In addition, the Chief Judge of the Court of Appeals, with the approval of the court, recalled several former circuit court judges and three former appellate judges to serve in the circuit courts for 307 judge days for the reasons already given.

The Chief Judge of the District Court pursuant to constitutional authority, made assignments internal to that Court to address unfilled vacancies, backlog, and illnesses. In Fiscal 1988, these assignments totaled 500 judge days. In addition, the Chief Judge of the Court of Appeals recalled 16 former District Court judges to sit in that Court totaling 583 judge days.

At the appellate level, the maximum use of available judicial manpower continued in Fiscal 1988. The Court of Special Appeals caseload is being addressed by limitations in oral argument, assistance by a central professional staff, and a prehearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate judges to sit in both appellate courts to hear specific cases and four former appellate judges were recalled to assist both courts for a total of 150 judge days.

Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload, particularly during the summer months. Some Court of Special Appeals judges assisted the District Court as well.

Court-Related Units

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

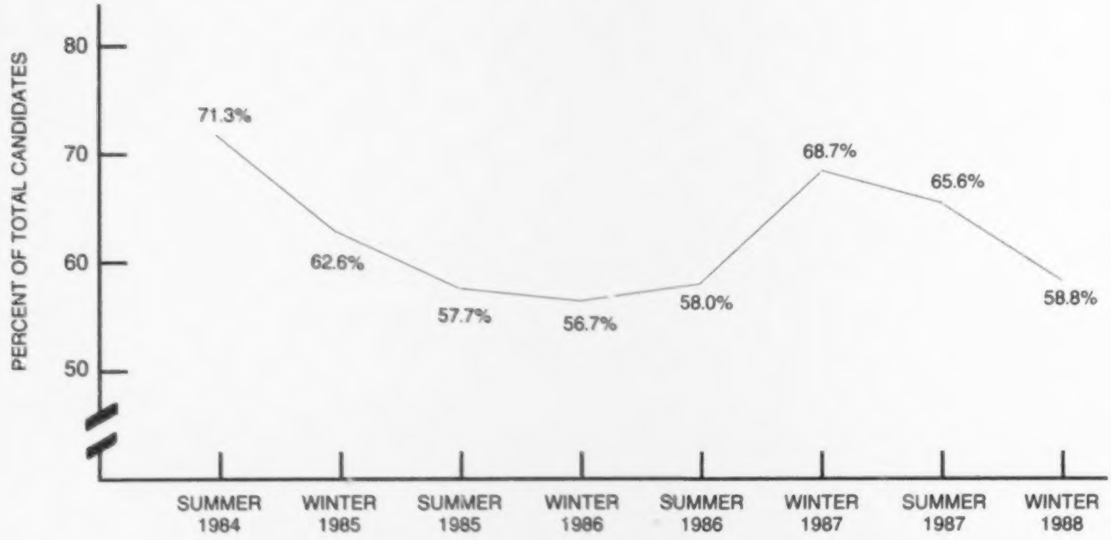
Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1988 are as follows: a total of 1099 applicants sat for the July 1987 examination with 721 (65.6 percent) obtaining a passing grade, while 586 sat for



Ratio (percent) of successful candidates to total candidates taking the bar examination the February 1988 examination with 345 (58.8 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1985, 57.7 percent and February 1986, 56.7 percent; July 1986, 58.0 percent and February 1987, 68.6 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1987, 94 applicants took the examination for the first time along with ten who had been unsuccessful on a prior examination for a total of 104 applicants. Out of this number, 88 passed. This represents a passing rate of 84.6 percent.

In February 1988, 103 new applicants took the examination for the first time along with ten applicants who had been unsuccessful on a prior examination for a total of 113 applicants. Out of this number, 98 passed. This represents a passing rate of 86.7 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman; Baltimore City Bar
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
John W. Sause, Jr., Esquire; Queen Anne's County Bar
Jonathan A. Azrael, Esquire; Baltimore City Bar
Pamela J. White, Esquire; Baltimore City Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1988 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1987 (July)	1,099	721 (65.6%)	916	648 (70.7%)
Graduates University of Baltimore	232	152 (65.5%)	194	141 (72.6%)
Graduates University of Maryland	206	148 (71.8%)	178	139 (78.0%)
Graduates Out-of-State Law Schools	661	421 (63.6%)	544	368 (67.6%)
WINTER 1988 (February)	586	345 (58.8%)	287	202 (70.3%)
Graduates University of Baltimore	122	77 (63.1%)	44	38 (86.3%)
Graduates University of Maryland	101	52 (51.4%)	42	29 (69.0%)
Graduates Out-of-State Law Schools	363	216 (59.5%)	201	135 (67.1%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and to submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. The Committee is currently working on Phase II of the project, which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

The Ninety-seventh Report, concerning the new rules of appellate procedure, was pending at the end of the last fiscal year. The Court of Appeals adopted the rules proposed in the Ninety-seventh Report by Order of November 19, 1987, to become effective July 1, 1988. That Order was published in the Maryland Register, Vol. 14, Issue 26 (December 18, 1987).

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. Pursuant to the Ninety-eighth Report, the Court of Appeals adopted emergency changes effective July 1, 1987, to Rule 4-343, Sentencing—Procedure in Capital Cases. The purpose of the changes was to conform Rule 4-343 with Code, Article 27, §§ 412 and 413 as amended by the General Assembly in 1987, and with decisions of the Court of Appeals, especially *Mills v. State*, 310 Md. 33 (1987).

The Ninety-ninth Report, published in the Maryland Register, Vol. 15, Issue 6 (March 11, 1988), contains a proposed revision of the Rules Governing Admission to the Bar and conforming amendments to Rules BV2 and 1228. This Report is still under consideration by the Court.

The One Hundredth Report, published in the Maryland Register, Vol. 15, Issue 7 (March 25, 1988), contains a proposed new Title 6 of the Maryland Rules of Procedure, Settlement of Decedents' Estates. This Report is still under consideration by the Court.

The One Hundredth First Report, published in the Maryland Register, Vol. 15, Issue 7 (March 25, 1988), contained a number of proposed new Rules and some amendments to existing Rules. Among the more significant items were proposed new Rule S73A, concerning mediation of child custody and visitation disputes, and amendments to Rules 4-214, Defense Counsel, and 4-271, Trial Date, concerning the appearance of counsel in criminal cases transferred from the District Court to the circuit court upon a demand for jury trial. The Court of Appeals adopted the 101st Report by Order of June 3, 1988, with an emergency effective date of July 1, 1988. That Order was published in the Maryland Register, Vol. 15, Issue 13 (June 17, 1988).

Pursuant to the One Hundred Second Report, the Court of Appeals re-adopted Rule 2-512(h), Jury Selection—Peremptory Challenges, without change, on an emergency basis. The Order re-adopting Rule 2-512(h) is published in the Maryland Register, Vol. 15, Issue 11 (May 20, 1988).

Finally, pursuant to the One Hundred Third Report, the Court of Appeals adopted, on an emergency basis, new Rule 6-101, Actual Notice to Creditors, effective June 3, 1988. This Rule was necessitated by the United States Supreme Court's decision in *Tulsa Professional Collection Services v. Pope*, __ U.S. __, 108 S.Ct. 1340 (1980). Considering a challenge by a decedent's creditor to the Oklahoma "nonclaim" statute, which is similar in relevant past to Maryland Code, Estates and Trusts Article, § 8-103, the Court held that due process required the personal representative of an estate, in addition to complying with statutory requirements for publication notice, to provide actual notice of the pendency of the estate proceedings and the time for filing claims to creditors whose names and addresses were "known or reasonably ascertainable." New Rule 6-101 articulates these constitutional requirements. The Order adopting it was also published in the June 17, 1988, issue of the Maryland Register.

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman; Court of Special Appeals

Hon. Francis M. Arnold, District Court, Carroll County

Hon. Walter M. Baker, State Senator, Cecil County

Lowell R. Bowen, Esq., Baltimore City Bar

Professor Robert R. Bowie, Talbot County Bar

Albert D. Brault, Esq., Montgomery County Bar

Hon. Howard S. Chasanow, Circuit Court for Prince George's County

D. Warren Donohue, Esq., Montgomery County Bar

Ms. Audrey B. Evans, Clerk, Circuit Court for Calvert County

Hon. James S. Getty, Court of Special Appeals (retired)

John O. Herrmann, Esq., Baltimore City Bar

Hon. William S. Horne, State Delegate, Talbot County

H. Thomas Howell, Esq., Baltimore City Bar

Harry S. Johnson, Esq., Baltimore City Bar

Alexander G. Jones, Esq., Somerset County Bar

Hon. Joseph H.H. Kaplan, Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq., Prince George's County Bar

Anne C. Ogletree, Esq., Caroline County Bar

Hon. Kenneth C. Proctor, Circuit Court for Baltimore County (retired); *Emeritus*

Roger D. Redden, Esq., Baltimore City Bar

Linda M. Richards, Esq., Baltimore City Bar

Alan M. Rifkin, Esq., Chief Legislative Officer

Hon. Mary Ellen T. Rinehardt, District Court, Baltimore City

Melvin J. Sykes, Esq., Baltimore City Bar

Una M. Perez, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the Judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 233,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government publications and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer-assisted legal research service, Lexis/Nexis.

Over the past four years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term. Additionally, during FY 1988 a major federal income tax reference work, BNA's Tax Management Portfolio, was added to the law collection along with a subscription to microfilm reels of the State Capital's daily newspaper, *The Capital*. The Library also microfiched the important and not widely accessible collection of *Maryland Judicial Conference Proceedings, 1951-1983* and has initiated an ongoing filming project for many of the Gubernatorial and Legislative Task Force and Study Commission reports in the collection.

The Library has been upgrading its Maryland legislative history files and has gathered a complete collection of these task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1983. Additional materials added to the collection over the past year include Attorney General opinions from every state, on microfiche, commencing in 1978 to date; and a large collection of Ph.D. dissertations and Masters theses on various law and social science topics on Maryland.

Following in the footsteps of law libraries and library systems throughout the country, the Library has initiated an automation program designed to facilitate its information giving functions and internal work processes. A COMPAC 286 AT system is in place and such functions as wordprocessing, database creation, and indexing have been designed and are being utilized for various projects. JIS Micros Systems is assisting the Library in its automation plan implemention which will eventually include automating all aspects of the serials control functions, book acquisitions, and generating an automated information and referral file for use by the reference staff at the information center.

A significant addition of compact, mobile shelving was made during the fiscal year which has doubled the shelving capacity of the Library's basement area collections.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of State publication depository libraries this past year. In all, some 4,346 titles have been processed on OCLC during Fiscal 1988.

Technical assistance was provided to four circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, insurance appraisal, library design, space planning, and information on computer-assisted legal research systems.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects.

The Library once again participated in the Field Study Program sponsored by the Graduate School of Library and Information Sciences of the University of Maryland, which afforded the Library a student intern who compiled legislative history information on the 1988 handgun bill and coordinated the Library's Law Day activities. In addition, the Library also participated in the Anne Arundel County Board of Education's High School Alternative Credit Program for the first time which provided a gifted high school student with practical work experience in a discipline of interest to the student. An extensive bibliography on the National High School Debate topic on the U.S. Government's foreign policy in Central America was researched, produced and distributed by this intern to all High School English Departments in the county.

Publications issued by the Library included a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*; revised 1988 bibliographies entitled *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler*; *Divorce in Maryland*; and *DWI: Where to Find the Law in Maryland*. Also included in the Library's previous output are: *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History*.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques and also appearing before genealogy societies to discuss the collections and services available from the Library.

The Library continued its efforts in assisting various groups in celebrating the bicentennial of the U.S. Constitution and Maryland's ratification of that document. Also during the past year, the Library held its second open house in conjunction with National Law Day activities held May 1 of each year. This year's theme, "Legal Literacy," was especially appropriate for public law libraries to encourage use of law collections by citizens as one way to begin addressing the problem of becoming literate in the law. As a part of these activities, the Library also coordinated the showing of a unique courtroom art exhibit in the Courts of Appeal Building lobby.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m.—4:30 p.m.; Tuesday and Thursday, 8:30 a.m.—9:00 p.m.; and Saturday, 9:00 a.m.—4:00 p.m.

Summary of Library Use
Fiscal 1988

Reference inquiries	20,240
Volumes circulated to patrons	3,220
Interlibrary loan requests filled	1,405

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel, the principal executive officer of the disciplinary system, and supervises the activities of Bar Counsel and his staff. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, the prosecution of disciplinary proceedings, and investigation of petitions for reinstatement. The staff, in addition to Bar Counsel, includes a Deputy Bar Counsel, four Assistant Bar Counsel, four investigators, an office manager, and six secretaries.

The Commission is working on computerizing its files to make statistical record-keeping easier as the Commission's workload increases. The Commission is currently entering into agreements with various Maryland banking institutions in compliance with the new BU Rules effective January 1, 1989, dealing with overdrafts in attorney trust accounts.

The Court of Appeals established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and Review Board to act upon disciplinary complaints. The fund is endowed by an annual assessment upon members of the bar as a condition precedent to the practice of law. An increase in attorney assessments was necessary for Fiscal Year 1989 in order to meet budgeted expenditures approved by the Court of Appeals.

The Inquiry Committee consists of approximately 368 volunteers, one-third of whom are non-lawyers and two-thirds lawyers, each appointed for a three-year term and eligible for reappointment. The lawyer members are selected by local bar associations. Non-lawyer members are selected by the Commission.

The Review Board consists of eighteen persons, fifteen of whom are attorneys and three of whom are non-lawyers from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members for the Review Board. The Commission selects the non-lawyer members. Judges are not permitted to serve as members of the Inquiry Committee or the Board.

The Commission received a total of 1,165 matters classified as inquiries in Fiscal Year 1986-87 compared with 1,119 in Fiscal Year 1987-88. Formal docketed complaints reflected a substantial decrease from 412 in Fiscal Year 1986-87 to 273 in Fiscal Year 1987-88. A fewer number of open complaints await action at the close of the current fiscal year compared with the last fiscal year.

The number of lawyers disbarred this past fiscal year was ten compared to nineteen last fiscal year.

Bar Counsel continues to devote his personal efforts to more complex cases as well as to administrative functions. In August of 1988, Melvin Hirshman, our Bar Counsel, will be installed as President of the National Organization of Bar Counsel. The organization is composed of disciplinary counsel who serve throughout the United States. Mr. Hirshman previously served as Treasurer, Secretary and President-elect of the organization.

Summary of Disciplinary Action

	1983 -84	1984 -85	1985 -86	1986 -87	1987 -88
Inquiries Received (No Misconduct)	903	988	1,028	1,119	1,165
Complaints Received (Prima Facie Misconduct Indicated)	364	295	369	412	273
Totals	**1,267**	**1,283**	**1,397**	**1,531**	**1,438**
Complaints Concluded	315	319	285	373	302
Disciplinary Action Taken by No. of Attorneys:					
Disbarred	5	8	7	11	3
Disbarred by Consent	7	3	13	8	7
Suspension	7	11	12	12	13
Public Reprimand	4	3	6	3	3
Private Reprimand	13	7	9	14	7
Placed on Inactive Status	1	2	1	3	1
Dismissed by Court	7	7	2	6	2
Petitions for Reinstatement Granted	1	2	0	2	0
Petitions for Reinstatement Denied	0	0	0	2	3
Resignation	0	0	0	1	0
Resignation w/Prejudice	0	1	0	0	0
Total No. of Attorneys	**45**	**44**	**50**	**62**	**39**

The Commission provides financial support to the Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program prove helpful in avoiding more serious disciplinary problems. The Commission also provides investigative services for Maryland's Clients' Security Trust Fund.

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary subjects in the *Maryland Bar Journal.* In addition, Bar Counsel and staff attorneys speak at continuing legal education seminars, bar association meetings, lay groups, law firms, and before court-related agencies. Bar Counsel also responds to radio and press interviews. The Commission maintains a toll-free number of incoming calls from anywhere within Maryland for the convenience of complainants and volunteers who serve in the system.

Efforts continue to inform lawyers and clients of sources of disciplinary complaints. Increasing awareness of problem areas in the practice should reduce unintended infractions of disciplinary rules. The increase in the combined number of inquiries and complaints is attributed to an increasing number of lawyers admitted to practice.

Violation of the Maryland Rules of Professional Conduct, effective January 1, 1987, are the major source of complaints to the Commission. There are still a few complaints received which concern conduct which occurred prior to January 1, 1987, governed by the prior Code of Professional Responsibility.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twenty-second year on July 1, 1987, with a fund balance of $1,245,995.71, as compared to a fund balance of $1,262,497.54 for July 1, 1986.

The Fund ended its twenty-second year on June 30, 1988, with a fund balance of $1,429,922.43 as compared to a fund balance for the year ending June 30, 1987, of $1,245,995.71.

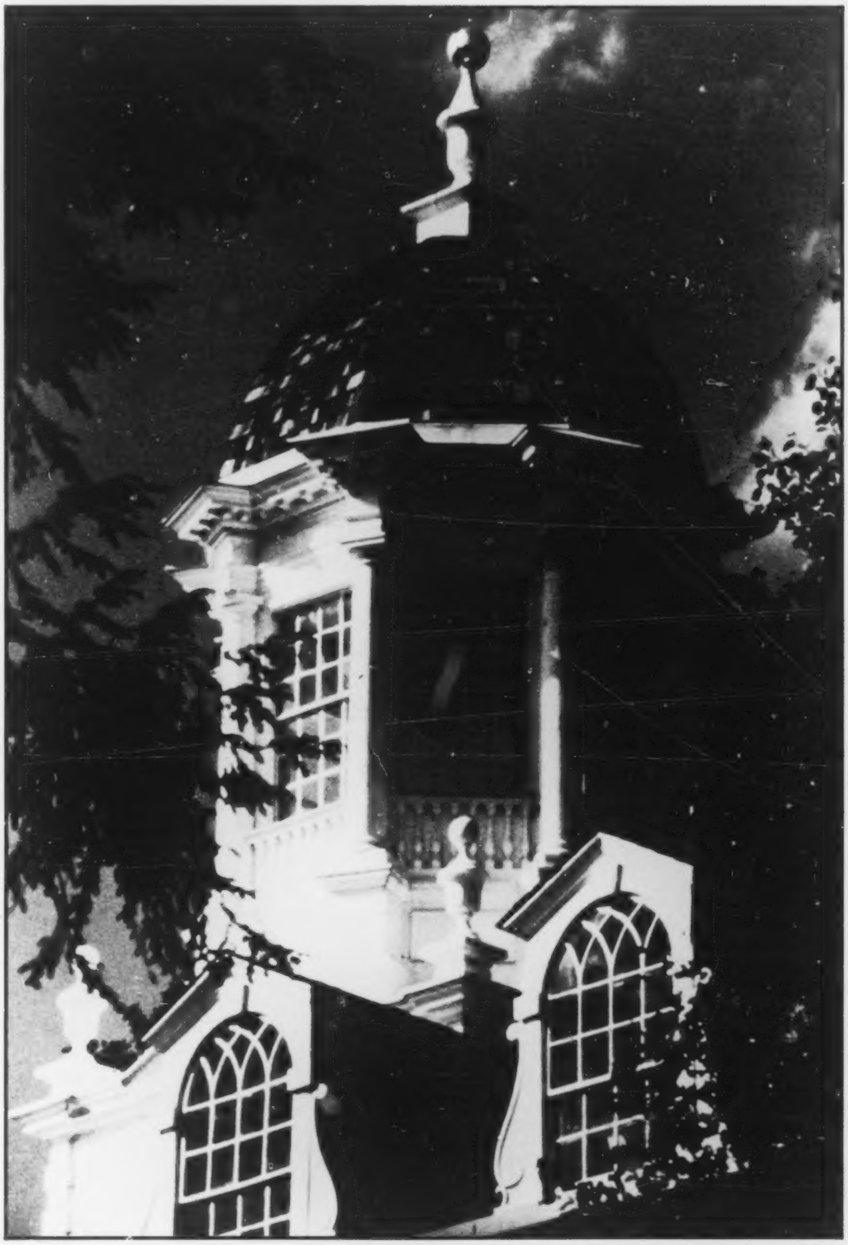
At their meeting of July 9, 1987, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1988: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During the fiscal year July 1, 1987 through June 30, 1988, the trustees met on five occasions and during the fiscal year, the trustees paid claims amounting to $78,904.11. There are thirty-six (36) pending claims with a current liability exposure approximating $1,175,543.00. These claims are in the process of investigation.

During the fiscal year ending June 30, 1988, the Fund derived the sum of $299,694.88 from assessments, as compared with the sum of $151,974.00 for the preceding fiscal year.

On June 30, 1988, the end of the current fiscal year, there were 18,202 lawyers subject to annual assessments. Of this number, 108 attorneys have failed to pay.

In accordance with the Maryland Rules of Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State—after certain procedural steps have been taken by the trustees.



Hampton House, Baltimore County

Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 220 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

At its first meeting in July 1987, the Executive Committee elected the Honorable John J. Bishop, Jr., Associate Judge, Court of Special Appeals, as its chairman, and the Honorable J. Frederick Sharer, Associate Judge of the Circuit Court for Allegany County, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1988 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-third Annual Meeting of the Maryland Judicial Conference was held on May 5th and 6th, 1988, at the Greenbelt Hilton and Towers, Greenbelt, Maryland.

Reports of the Conference committees were presented at the business meeting. The only report requiring action was submitted by the Judicial Ethics Committee which had been working on a revision of the Code of Conduct for Masters, Examiners, Auditors, Referees and District Court Commissioners similar to the new code for judges which was effective July 1, 1987. The Honorable Martin B. Greenfeld, Chair of the Judicial Ethics Committee, presented the proposed code of conduct advising the Conference that the code had been made available for comment from judges, members of the bar and the general public. A resolution was unanimously adopted recommending that the Court of Appeals adopt by rule the Maryland Code of Conduct for Judicial Appointees as proposed by the Judicial Ethics Committee.

On the second day, the Honorable Hilary D. Caplan, Chair of the Special Joint Committee on Gender Bias in the Courts, presented a status report to the Conference with Lynn Hecht Schafran, Esquire, Director of the National Judicial Education Program to Promote Equality for Men and Women in the Courts, discussing the Maryland Experience.

Conference members also participated in group discussions of recent Maryland appellate decisions. They selected from six group sessions on different cases involving: handling the capital case, cause of action for fraud, emotional distress or negligence-genital herpes, invasion of privacy, self representation/hybrid representation, DWI-punitive damages and evidence-exceptions to hearsay rule.

In the afternoon, AIDS and the Maryland Courts was the topic with Dr. Ford Brewer, Chief Medical Examiner with the Department of Public Safety and Correctional Services, discussing the Medical Perspective. The Judicial Perspective was discussed by the

Honorable Peter J. Messitte. Emery A. Plitt, Jr., Esquire, an assistant attorney general with the Department of Public Safety and Correctional Services, continued with the Corrective Perspective, and Dr. Gillian Van Blerk, Director of AIDS Administration of the Department of Health and Mental Hygiene, spoke on the Court Environment Perspective.

Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1988, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

1. Meetings with Executive Department Officials.

The Conference met with representatives of the Mental Hygiene Administration of the Department of Health and Mental Hygiene for a presentation on the new presentence psychiatric investigation program for which funds had been recently appropriated. The Administration expressed the view that there is a void in providing assistance to the circuit courts desiring a psychiatric/psychological evaluation of defendants prior to sentencing. The program will be instituted first in the District Court and subsequently in a pilot site in the circuit courts. It is intended to supplement, not replace, presentence investigations conducted by the Maryland Division of Parole and Probation.

2. Endorses Study to Develop Uniform Procedures for Handling Adoptions.

Adverse publicity about non-uniformity in handling adoptions in the circuit courts, particularly private placement, generated considerable Conference discussion about how these proceedings are presently being handled, particularly by attorneys who apppar-ently are getting big fees for handling the matters in highly questionable ways. The Conference unanimously endorsed a comprehensive examination of this matter and referred the subject to the Juvenile and Family Law Committee of the Maryland Judicial Conference with a request that it advise the Conference of its findings and recommendations.

3. Supports Legislation.

The Conference continued to express its support for and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. Again, the Conference reaffirmed its strong support for legislation to remove circuit judges from the contested election process and permit a retention election. Judicial Conference legislation supported by the Conference and enacted is reported in the section of this report entitled *1988 Legislation Affecting the Courts.*

4. Endorses Recommendations on the Study of the Increased Number of Prayers for Jury Trials from the District Court.

As reported in the last Annual Report, the Conference was alarmed by the percentage of the criminal docket in the circuit courts that was comprised of jury trial prayers from the District Court. This was having an adverse impact on the expeditious disposition of criminal cases in the circuit courts. A report on the study of the impact of the increased number of jury trials was reviewed by the Conference. The report made several recommendations attempting to remedy the situation. The Conference endorsed almost all the recommendations, some of which called

Black-eyed Susans

for the introduction of legislation, others called for changes to the Maryland Rules. Legislation introduced to limit jury trials in the circuit courts was unsuccessful in the 1988 Session. A Rule to provide for the automatic entering of the appearance of counsel in the circuit court when the defendant prays a jury trial with counsel in the District Court was enacted by the Court of Appeals. The Conference will continue to monitor this problem.

5. Urges Rule Changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals that amend certain Maryland Rules. One such proposal dealt with Rule 1314 applicable to cases heard de novo in the circuit courts. There was discussion on the steps to take place by the courts when a defendant fails to appear for trial in the circuit courts on a de novo appeal. The existing Rule contains provisions as to what is to occur when a defendant fails to appear for trial. The discussion was prompted because of what had occurred in one circuit court where a defendant failed to appear for a preliminary inquiry set by the court under its local procedures. The defendant failed to appear at the preliminary inquiry and the court issued a bench warrant. When the defendant appeared voluntarily, he was taken into custody pursuant to the bench warrant and brought before the court. An officer did not appear for trial and the appeal was dismissed. Generally the circuit courts do not issue bench warrants simply for a failure to appear. But if a defendant was sentenced to a period of incarceration in the District Court and the defendant fails to appear at the circuit court, the appeal is dismissed, but the court will issue a bench warrant so that sentence of incarceration is executed. The Conference recommended an amendment to Rule 1314 to permit a dismissal of an appeal if a defendant fails to appear for trial or for any other reason in response to a court directive.

6. Other Matters.

There were many other matters discussed and considered by the Conference during this period covering different aspects of the administration of justice in the circuit courts. As has been stated in past reports, this report can only summarize some of the matters considered and acted upon. Many of the subjects presented to the Conference for discussion are still pending and await further consideration by the Conference.

Administrative Judges Committee of the District Court

by the Chief Judge of the District Court of Maryland Robert F. Sweeney

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1988, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Agreed on uniform standards pertaining to cancellations of evictions during extreme weather conditions;

(2) Clarification of procedures concerning bail reviews for individuals arrested on bench warrants;

(3) Implementation of policy that an individual may be refused a new trial after he failed to appear for his original trial, when he has not taken any action to satisfy his obligations to the Court within 90 days;

(4) Unanimously approved a system of bar coding to improve the efficiency and accuracy of data collection in the District Court system and eliminate redundancies in the collection of data;

(5) Increased the filing fee in summary ejectment cases from $3 to $7;

(6) Established preset fines for newly created violations of the motor vehicle and natural resources law;

(7) Eliminated the right to waive trial by paying a preset fine for violations of the natural resources law which carry the possibility of a jail sentence; and

(8) Made revisions to the schedule of preset fines for certain existing violations of the motor vehicle and natural resources laws.

The Administrative Judges Committee also reviewed and made recommendations to the Executive Committee and other committees of the Maryland Judicial Conference and to the General Assembly on bills affecting the operation and administration of the District Court.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured in such a way so as to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. Out of that restructuring came fourteen commissions, known as Commission Districts, in addition to the Appellate Judicial Nominating Commission. Each judicial vacancy filled pursuant to the governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective March 31, 1988, each of the fifteen commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During Fiscal 1988, 14 vacancies occurred. This compares to 15 vacancies in Fiscal 1987. The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

All seven vacancies on the circuit court were filled during the fiscal year. Three appointments were from the District Court bench, three appointments were from the private bar and the remaining appointment was from the public sector.

The six District Court vacancies were also filled during the fiscal year. Four of the appointments were from the public sector while the other two appointments were from the private bar.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1980 to Fiscal 1988

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1980	Vacancies	1	0	13	11	25[a]
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13[b]
	Applicants	0	0	30	69	99
	Nominees	0	0	6	24	30
FY 1982	Vacancies	1	1	12	11	25[c]
	Applicants	5	7	96	142	250
	Nominees	4	4	26	30	64
FY 1983	Vacancies	0	4	8	5	17[d]
	Applicants	0	32	74	70	176
	Nominees	0	16	17	22	55
FY 1984	Vacancies	0	2	12	10	24[e]
	Applicants	0	27	91	195	313
	Nominees	0	12	29	37	78
FY 1985	Vacancies	1	1	9	7	18[f]
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15[h]
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19[g]	43
FY 1988	Vacancies	0	1	7	6	14[i]
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees in that and subsequent years, may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

[a] In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

[b] In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

[c] Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

[d] Five vacancies that occurred in FY 83 were not filled until FY 84.

[e] Six vacancies that occurred in FY 84 were not filled until FY 85.

[f] Two vacancies that occurred in FY 85 were not filled until FY 86.

[g] A meeting for one District Court vacancy was not held until FY 88.

[h] Three vacancies that occurred in FY 87 were not filled until FY 88.

[i] One vacancy that occurred in FY 88 was not filled until FY 89.

Judicial Nominating Commissions

as of September 1, 1988

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Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime..."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the changes against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-one formal complaints—of which three were initiated by practicing attorneys and the remainder by members of the public. Some complaints were directed against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, eleven judges at the District Court level, nineteen circuit court judges, and two sitting in Orphans' Courts were the subjects of complaints.

As in previous years, litigation over some domestic matter (divorce, alimony, custody) precipitated the most complaints (12), criminal cases accounted for ten and the remainder resulted from some civil litigation or the alleged improper demeanor of some jurist.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, two complaints were dismissed because the particular judges had resigned. In one instance, the resignation was precipitated by the filing of formal charges against the party in question. Several judges were requested to appear before the Commission to defend charges against them. In most instances, the complaints were dismissed either because the charges leveled were not substantiated or because they did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of discussion with the jurist involved or by private reprimand. In one case where the Commission had previously recommended public censure of a District Court judge, the Court of Appeals of Maryland agreed with the Commission's decision.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential informatiom concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

Deep Creek Lake, Garrett County

1988 Legislation Affecting the Courts

1988 Legislation Affecting the Courts

Among the bills enacted during the 1988 session of the Maryland General Assembly are several that make significant changes in the laws governing corporations and limited partnerships, a wide-ranging reorganization of most public higher education in Maryland, and a handgun law prohibiting the manufacture and sale of so-called "Saturday Night Specials." Some of the new laws that affect the Judiciary are summarized below. A more detailed summary of 1988 legislation is available from the Administrative Office of the Courts.

1. Judicial Conference Legislation

Judgeships—Chapter 473. Creates seven new judgeships, one each in the circuit courts in Baltimore City and Baltimore, Charles, Prince George's, and Wicomico Counties, and one each in Districts 4 (Charles County) and 5 (Prince George's County) of the District Court.

Qualification and Summoning of Jurors—Chapter 326. Permits jury commissioners to accomplish the qualification and summoning of potential jurors in a single procedure.

Bad Checks—Chapter 476. Makes it a misdemeanor to knowingly give a bad check in payment of fines and/or costs in the State's appellate or circuit courts.

2. Court Administration

District Court Clerks' Duties—Chapter 302. Requires clerks in District Court, upon request, to advise and assist a litigant on procedural matters in any small claims case ($2,500 or less).

Expungement of Criminal Records—Chapter 592 authorizes a court to grant a petition for expungement at any time for good cause shown; Chapter 628 permits the filing of a petition for expungement of a probation before judgment either three years from the date of the judgment or the date of the person's discharge from probation, whichever is later; and Chapter 723 permits a person charged with a crime to petition for expungement immediately after the entry of a nolle prosequi (dismissal by the State's Attorney).

Prepayable Fines—Chapter 639. Authorizes the Chief Judge of the District Court to establish a schedule of prepayable fines for first offense misdemeanor violations of the Natural Resources Article of the Maryland Annotated Code in lieu of appearance in court, and also establishes procedures for warnings and additional fines and/or issuance of a warrant for failure to comply with a notice to appear.

Homeowners' Associations—Chapter 82. Requires clerks in each circuit court to maintain an indexed depository for certain documents required to be deposited by homeowners' associations.

State Holidays—Chapter 543. Requires courts and other State offices and facilities to remain open on three legal holidays: Lincoln's Birthday, February 12; Maryland Day, March 25; and Defenders' Day, September 12.

News Media Privilege—Chapter 113. Further limits the power of a court to compel a newsperson to disclose a news source or noncommunicated information.

3. Criminal Law and Procedure

Hearsay About Child Abuse—Chapters 548 and 549. Under certain circumstances, permit the admission into evidence of an out-of-court statement of a child victim under 12 made to a physician, psychologist, social worker, or teacher in a child abuse case.

Sale of Age Identification Cards—Chapter 415. Prohibits most sales or issuance of identification cards or documents with either a blank space for an age or an incorrect age.

Possession of Firearms by a Person wilth Mental Disorder—Chapter 690. Prohibits the possession of firearms by a person suffering from a mental disorder who has a history of violent behavior or who has been confined to a mental health facility for more than 30 consecutive days, absent a physician's certificate.

Religious and Ethnic Crimes—Chapters 601 and 786. Make it a crime to deface, damage, or destroy property of a religious institution, to obstruct by force or threat a person's free exercise of religion, and to harass or assault a person or to deface, damage, or destroy the person's property because of race, color, religious beliefs, or national origin.

Impersonating a Police Officer—Chapter 151. Makes it a misdemeanor to falsely represent that one is a police officer of any governmental entity in this or another State or to impersonate such an officer.

Wiretapping and Electronic Communications—Chapter 607. Makes widespread changes in the coverage, procedures, and penalties of the Maryland wiretap law.

Interference with a Horse Race—Chapter 200. Makes it a misdemeanor to interfere with the results of a horse race, and increases the penalties for entering or racing a horse under other than its registered name.

First Degree Murder by a Minor—Chapter 418. Under certain circumstances, permits a sentence of life imprisonment without parole for a person under age 18 convicted of first degree muder.

First Degree Rape—Chapter 433. Designates as first degree rape any rape committed in connection with a housebreaking.

Subsequent Drug Offenses—Chapter 439. Increases the minimum penalties for second and subsequent convictions for drug offenses.

Assignment to Community Service—Chapter 477. Prohibits a court from assigning a person convicted of a violent crime to perform community service.

4. Civil Law and Procedure

Exemptions from Execution on Judgment—Chapter 600 increases the amount used to calculate the amount of wages exempt from attachment, except in a few counties; and Chapter 613 exempts from execution distributions to a participant or beneficiary from most retirement or pension plans. Not applicable to bankruptcy cases filed before January 1, 1988.

Landlord-Tenant Jurisdiction—Chapter 488. Authorizes the District Court to issue an injunction against a landlord upon proof by a tenant that the landlord has not made needed repairs within 90 days of the granting of the tenant's complaint.

Telephone Solicitations—Chapter 589. Makes unenforceable, as well as potentially subject to the consumer protection laws, a consumer contract arising from telephone solicitations unless the seller meets certain strict requirements. Not applicable to credit solicitations and security sales.

Required Mortgage Insurance—Chapter 693. Permits a mortgage borrower to petition for injunctive relief, attorney's fees, and damages if a lender requires property insurance coverage beyond the replacement value of the property.

Survival of Slander Actions—Chapter 359. Provides that an action for slander does not abate at the death of either party if an appeal is pending from a judgment in favor of the plaintiff.

5. Juvenile and Family Law

Domestic Violence—Chapter 112. Includes as "household members" in domestic violence cases nonspouses who have at least one minor child in common living with the petitioner.

Juvenile Services Agency Employees—Chapter 582. Repeals provisions for judicial direction, control, and selection of Juvenile Services Agency employees performing certain services in connection with juvenile proceedings. The new law also provides that JSA will continue to supply the staff needed for the services required by the Court and will fully cooperate with the judges of the Juvenile Court in carrying out the objectives of the Court and the agency.

Modification of Child Support Awards—Chapter 338. Prohibits a court from modifying a child support award for a period prior to the filing date of a petition for modification.

Restitution—Chapter 686. In a juvenile restitution proceeding, provides that a bill or written statement of medical, dental, hospital, funeral, or burial expenses is prima facie evidence as to the fairness and reasonableness of the charges, and places the burden of rebuttal on the person challenging the charges.

Alcoholic Beverages Violations—Chapter 571. Authorizes a court to cite as a violation a person under 18 who obtains an alcoholic beverage or who induces the sale of such a beverage by misrepresentation of his or her age. Also subjects the juvenile to the delinquency laws and procedures and increases the fines a court may impose for violations of the alcoholic beverage laws by adults or juveniles.

6. Motor Vehicle Laws

Alcohol- and Drug-Related Offenses. The General Assembly enacted several bills designed to reduce the incidence of alcohol- and/or drug-related driving offenses. For example, Chapters 255 and 734 lower the blood-alcohol levels required to provide prima facie evidence of driving while intoxicated (from 0.13 to 0.10 percent) or driving under the influence (from 0.08 to 0.07 percent), and increase from 0.01 to 0.02 percent the blood-alcohol level for prima facie evidence that the defendant was driving with alcohol in his or her blood; Chapters 252 and 253 permit a court to prohibit a person from operating a motor vehicle without an ignition interlock system for up to three years as a condition of probation or as a sentence. The system precludes starting a vehicle if the driver's blood contains any alcohol; Chapter 254 requires the Motor Vehicle Administration to impose a restriction on every licensee under age 21 prohibiting driving with alcohol in the blood, and makes proof of a blood-alcohol level of 0.02 percent or more prima facie evidence that the licensee is driving in violation of that restriction; Chapter 53 increases the fines a court may impose for a third or subsequent conviction for driving while intoxicated; and Chapter 562 prohibits a court from ordering a second probation before judgment for a second or subsequent conviction of driving under the influence of drugs or drugs and alcohol.

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Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:
    - Department of Personnel
    - County Commissioner
    - Department of Taxation and Assessments
    - Employment Security
    - Funeral Director
    - Liquor License Commissioners
    - Physical Therapy
    - State Comptroller (Sales Tax, etc.)
    - State Motor Vehicle Authority
    - Supervisors of Elections
    - Workmen's Compensation Commission
    - Zoning Appeals
    - Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts
Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1987 to June 30, 1988.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

  Examples of Hearings in Criminal
  - Arraignment
  - Discovery motion
  - Guilty plea
  - Motion to quash
  - Motion to dismiss
  - Motion for change of venue
  - Motion to continue
  - Motion to suppress
  - Motion to sever
  - Nolo contendere
  - Not guilty with agreed statement of facts
  - Sentence modifications
  - Violation of probation
- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Civil
  - Motion to compel an answer to an interrogatory
  - Motion ne recipiatur
  - Motion for judgment by default
  - Demurrer
  - Motion for summary judgment
  - Motion to vacate, open, or modify confession of judgment
  - Preliminary motions presented in court, including motions for continuance
  - Determination of alimony pendente lite, temporary custody, etc., in a divorce case
  - Contempt or modification hearings
- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

  Examples of Hearings in Juvenile
  - Preliminary motions presented in court
  - Arraignment or preliminary inquiry
  - Detention (if after filing of petition)
  - Merits or adjudication
  - Disposition
  - Restitution
  - Waiver
  - Review
  - Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:
- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as "Disposition."

Trials
- **Criminal**

  Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

  Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.
- **Civil**

  Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

  Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.

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